Vol. II

TRANSCRIPT OF RECORD

Supreme Court of the United States

OCTOBER TERM, 1929

No. 45

TAGG BROS. & MOORHEAD, RICHARD M. LAVERTY, ENGAGED IN BUSINESS UNDER THE NAME AND STYLE OF LAVERTY BROS.; WILL H. WOOD ET AL., ETC., ET AL., APPELLANTS,

vs.

THE UNITED STATES OF AMERICA, WILLIAM M. JARDINE, AS SECRETARY OF AGRICULTURE; JOHN G. SARGENT, ATTORNEY GENERAL, ET AL.

APPEAL FROM THE DISTRICT COURT OF THE UNITED STATES FOR THE DISTRICT OF NEBRASKA

FILED MARCH 1, 1929

(34,047)

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SUPREME COURT OF THE UNITED STATES

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VOL. II

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[fol. 638] Exhibit 39

Auditor's Report Year Ended December 31, 1925

Firm No. 33

South Omaha, Nebraska

Balance Sheet as at December 31, 1924

Exhibit A.

Assets

Current:			
Cash in Bank	$3,142.35		
Accounts Receivable	63.17		
Total Current Assets		$3,205.52	
Fixed:			
Memberships	6,000.00		
Office and Operating Equipment	1,540.00		
Total Fixed Assets		7,540.00	
Deferred		13.78	
Total Assets			$10,759.30

Liabilities and Net Worth

Current Liabilities:			
Accounts Payable (Yard Co.)	$65.71		
Other	.10		
Total Current Liabilities		$65.81	
Net Worth:			
Capital	9,540.00		
Undivided Profits	1,153.49		
Total Net Worth		10,693.49	
Total Liabilities and Net Worth			$10,759.30

[fol. 639] Firm No. 33

South Omaha, Nebraska

Balance Sheet as at December 31, 1925

Exhibit B.

Assets

Current:			
Cash in Bank	$2,774.71		
Accounts Receivable	362.73		
Total Current Assets		$3,137.44	

Fixed:			
Memberships	6,000.00		
Office & Operating Equipment	1,540.00		
Total Fixed Assets		7,540.00	
Deferred		48.54	
Total Assets			$10,725.98

Liabilities and Net Worth

Current Liabilities:			
Proceeds Payable (Held a/c Brands)	$804.92		
Accounts Payable (Other)	51.36		
Total Current Liabilities		$856.28	
Net Worth:			
Capital	9,540.00		
Undivided Profits	329.70		
Total Net Worth		9,869.70	
Total Liabilities and Net Worth			$10,725.98

[fol. 640] Firm No. 33

South Omaha, Nebraska

Profit and Loss Statement Year Ended December 31, 1925

Exhibit C.

Income:			
Selling Commissions	$18,255.25		
Buying Commissions	394.45		
		$18,649.70	
Split Commissions Received		140.14	
Total Operating Income			$18,789.84
Expenses:			
Non-Owners' Salaries:			
Salesmen	7,600.00		
Yardmen	1,625.00		
Extra Help	39.00		
Commissions Paid as Salary	75.90		
Total Salaries		9,339.90	
Travel and Entertainment	438.15		
Advertising	2,179.07		
Rent	357.50		
Telephone & Telegraph	159.08		
Stationery & Office Expense	134.72		
General Postage	201.00		
Charity and Donations	20.00		

Taxes	19.95		
Bond Premiums	41.00		
Exchange Assessments and Dues	303.43		
Meals	15.25		
Errors and Adjustments	16.17		
Miscellaneous	122.54		
		4,006.86	
Total Operating Expenses			13,346.76
Net Operating Profit			$5,443.08

[fol. 641] Firm No. 33

South Omaha, Nebraska

Reconciliation of Net Worth Year Ended December 31, 1925

Exhibit D.

Net Worth December 31, 1924			$10,693.49
Additions:			
Net Gain	$5,443.08		
Other	38.17		
		5,481.25	
Total			16,174.74
Deductions:			
Withdrawals	6,205.04		
Other	100.00		
		6,305.04	
Net Worth December 31, 1925			$9,869.70

[fol. 642] Firm No. 33

South Omaha, Nebraska

Statement of Salaries, Year Ended December 31, 1925

Schedule 1.

Non-Owners:			
Salesmen:			
*#1 Cattle, Full time	$2,400.00		
#2 " 2 Months	400.00		
#3 Hog, Full year	2,400.00		
#4 " " "	2,400.00		
		$7,600.00	
Yardmen:			
*#5 Cattle, 10 Months	1,500.00		
#6 General, 1 "	125.00		
		1,625.00	
Extra Help		39.00	

*1 and 5 devote approximately one half of their time to office work.

Commissions Paid as Salary:			
Sheep	41.60		
Truck Hog	34.30		
		75.90	
Total Salaries			$9,339.90

[fol. 643] Firm No. 33

South Omaha, Nebraska

Statement of Commissions, Year Ended December 31, 1925

Schedule 2.

Selling

Straight Cars:			
Cattle and Calves	$5,642.21		
Hogs	5,470.44		
Sheep	14.00		
		$11,126.65	
Mixed Cars		2,406.85	
Drive-Ins and Truck-Ins:			
Cattle	982.10		
Calves	299.60		
Hogs	2,044.77		
Sheep	25.25		
		3,351.72	
Speculators and Dealers:			
Cattle and Calves	1,194.75		
Hogs	175.28		
		1,370.03	
Total Selling Commissions			$18,255.25

Buying

Straight Cars:			
Cattle and Calves	326.50		
Sheep	14.00		
		340.50	
Drive-Outs and Truck-Outs:			
Cattle	8.00		
Calves	20.35		
Hogs	6.00		
Sheep	1.80		
		36.15	
Speculators and Dealers:			
Cattle		17.80	
Total Buying Commissions			$394.45

[fol. 644] Firm No. 33

South Omaha, Nebraska

Statement of Volume, Year Ended December 31, 1925

Schedule 3.

Selling

	Cars	Head
Straight Cars:		
Cattle and Calves	288	7,704
Hogs	372	27,130
Sheep (D. D. 3)	1	98
	661	34,932
Mixed Cars:		
Cattle and Calves, Hogs, Sheep	128	1,228 Cattle and Calves; 6,257 Hogs; 115 Sheep
	128	7,600
Drive-Ins and Truck-Ins:		
Cattle	...	1,226
Calves	...	752
Hogs	...	7,342
Sheep	...	125
	...	9,445
Speculators and Dealers:		
Cattle and Calves	...	3,142
Hogs	...	1,842
		4,984
Total Selling	789	56,961

Buying

Straight Cars:		
Cattle and Calves	21	716
Sheep	1	107
	22	823
Drive-Outs and Truck-Outs:		
Cattle	...	13
Calves	...	49
Hogs	...	30
Sheep	...	9
	...	101
Speculators and Dealers:		
Cattle	...	52
Total Buying	22	976

[fol. 645] Exhibit 40

Auditor's Report, Year Ended December 31, 1925

Firm No. 34

South Omaha, Nebraska

Balance Sheet as at December 31, 1924

Exhibit A.

Assets

Current:				
Cash on Hand	$218.90			
Cash in Bank (General)	7,716.13			
		$7,935.03		
Accounts Receivable		92,993.83		
Notes Receivable	70,693.26			
Notes Receivable—Discounted	59,628.58			
		11,064.68		
Stocks		300.00		
Total Current Assets			$112,293.54	
Fixed:				
Memberships		5,000.00		
Office & Operating Equipment		2,250.00		
Total Fixed Assets			7,250.00	
Total Assets				$119,543.54

Liabilities and Net Worth

Current:			
Proceeds Payable	$4,300.00		
Estray Account	72.34		
Accounts Payable (Yard Co.)	1,586.04		
Accounts Payable (Other)	156.88		
Accrued Interest	239.26		
Total Current Liabilities		$6,354.52	
Net Worth:			
Capital	10,000.00		
Surplus	103,189.02		
Net Worth		113,189.02	
Total Liabilities and Net Worth			$119,543.54

[fol. 646]

Firm No. 34

South Omaha, Nebraska

Balance Sheet as at December 31, 1925

Exhibit B.

Assets

Current:			
Cash on Hand	$203.09		
Cash in Bank (General)	5,345.41		
		$5,548.50	
Accounts Receivable		1,577.26	
Notes Receivable	113,449.81		
Less Notes Receivable Discounted	113,449.81		
Stocks		300.00	
Total Current Assets			$7,425.76
Fixed:			
Membership		15,000.00	
Office & Operating Equipment		2,250.00	
Total Fixed Assets			17,250.00
Total Assets			$24,675.76

Liabilities and Net Worth

Current:			
Proceeds Payable		$1,200.00	
Accounts Payable (Yard Co.)		1,345.83	
Accounts Payable (Other)		69.07	
Estrays		245.68	
Total Current Liabilities			$2,860.58
Net Worth:			
Capital		10,000.00	
Surplus		11,815.18	
Net Worth			21,815.18
Total Liabilities and Net Worth			$24,675.76

[fol. 647]

Firm No. 34

South Omaha, Nebraska

Profit and Loss Statement Year Ended December 31, 1925

Exhibit C.

Income:			
Selling Commission	$51,346.07		
Buying Commission	5,536.00		
		$56,882.07	
Miscellaneous Income		872.45	
Gross Income		57,754.52	
Less Deductions		21.65	
Total Operating Income			$57,732.87

Expenses:

Non-Owners' Salaries:

Salesmen	16,920.00		
Order Buyer	3,600.00		
Yardmen	5,205.00		
Office	7,680.00		
Extra Help	182.00		
Commission paid as Salary	512.95		
Total Salaries		34,099.95	
Bonuses Paid	2,110.00		
Travel & Entertainment	1,875.26		
Advertising	4,814.93		
Rent	840.00		
Telephone & Telegraph	530.08		
Stationery & Office Expense	903.66		
General Postage	393.37		
Charity and Donations	353.70		
Horse & Saddle	333.10		
Insurance	386.30		
Taxes	134.71		
Bond Premiums	104.50		
Exchange Assessment and Dues	777.34		
Meals	229.80		
Errors and Adjustments	105.35		
Miscellaneous	462.07		
Total General Expense		14,354.17	
Total Operating Expense			48,454.12
Net Operating Profit			9,278.75
Other Income			20.36
			9,299.11
Other Deductions			49.45
Net Gain			$9,249.66

[fol. 648] Firm No. 34

South Omaha, Nebraska

Reconciliation of Net Worth Year Ended December 31, 1925

Exhibit D.

Net Worth December 31, 1924		$113,189.02
Additions:		
Net Gain	$9,249.66	
Appreciation of Assets	10,000.00	
		19,249.66
		132,438.68

Deductions:

Rent Prior year paid in 1925	70.00	
Uncollectable Accounts Receivable	108,000.00	
Advances	2,000.00	
Operating Equipment Charge	433.50	
Outside Salaries	120.00	
		110,623.50
Net Worth December 31, 1925		$21,815.18

[fol. 649] Firm No. 34

South Omaha, Nebraska

Statement of Salaries Year Ended December 31, 1925

Schedule 1.

Non-Owners' Salaries:

Salesmen:		
#1 Cattle, full time	$4,400.00	
#2 " " "	4,000.00	
#3 " " "	1,800.00	
#4 Hog " "	4,200.00	
#5 " " "	2,520.00	
Total Salesmen Salaries		$16,920.00
Buyer:		
#6 Feeder Buyer (Cattle), full time		3,600.00
Yardmen:		
#7 Cattle, full time	1,875.00	
#8 " " "	1,650.00	
#9 Hog " "	1,680.00	
Total Yardmen Salaries		5,205.00
Office:		
#10 Full time	4,200.00	
#11 " "	1,800.00	
#12 " "	1,680.00	
Total Office		7,680.00
Extra Help:		
Office, Various	140.00	
Yards, "	42.00	
Total Extra Help		182.00
Commission Paid as Salary:		
½ Commission paid as Salaries (Sheep)		512.95
		$34,099.95

[fol. 650] Firm No. 34

South Omaha, Nebraska

Statement of Commissions Year Ended December 31, 1925

Schedule 2.

Selling

Straight Cars:			
Cattle and Calves	$18,801.29		
Hogs	10,534.75		
Sheep	188.30		
		$29,524.34	
Mixed Cars		2,435.22	
Drive-Ins and Truck-Ins:			
Cattle	4,253.33		
Calves	575.08		
Hogs	9,687.46		
Sheep	402.85		
		14,918.72	
Yard Sales:			
Cattle	1,195.79		
Hogs	3,257.78		
		4,453.57	
		51,331.85	
Add Unlocated Difference		14.22	
Total Selling			$51,346.07

Buying

Straight Cars:			
Cattle and Calves	$4,108.00		
Sheep	367.00		
		$4,475.00	
Drive-Outs and Truck-Outs:			
Cattle	994.70		
Calves	2.40		
Sheep	45.20		
		1,042.30	
		5,517.30	
Add Unlocated Difference		18.70	
Total Buying			$5,536.00

[fol. 651] Firm No. 34

South Omaha, Nebraska

Statement of Volume Year Ended December 31, 1925

Schedule 3.

	Cars		
	S. D.	D. D.	Head
Selling			
Straight Cars:			
Cattle and Calves	1,020	....	26,886
Hogs	674	29	49,240
Sheep	2	7	1,967
	1,696	36	78,093
Mixed Cars:			
Cattle, Calves, Hogs, Sheep	129	....	1,558 / 31 / 4,794 / 187
	129	....	6,570
Drive-Ins and Truck-Ins:			
Cattle	.....	....	5,413
Calves	.....	....	1,426
Hogs	.....	....	35,428
Sheep	.....	....	2,237
	.....	....	44,504
Yard Sales:			
Cattle	.....	....	3,072
Hogs	.....	....	31,934
	.....	....	35,006
Total Selling	1,825	36	164,173
Buying			
Straight Cars:			
Cattle & Calves	255	....	8,916
Sheep	6	14	4,473
	261	14	13,389
Drive-Outs and Truck-Outs:			
Cattle	.....	....	1,807
Calves	.....	....	6
Sheep	.....	....	371
	.....	....	2,184
Total Buying	261	14	15,573

[fol. 652] Ex. 41

Auditor's Report, Year Ended December 31, 1925

South Omaha, Nebraska

Balance Sheet as at December 31, 1924

Exhibit A.

Assets			
Current:			
Cash in Bank	$3,517.72		
Accounts Receivable	1,652.11		
Notes Receivable	910.83		
Total Current Assets		$6,080.66	
Total Assets			$6,080.66
Liabilities and Net Worth			
Current:			
Accounts Payable (Yard Co.)	$339.70		
Accounts Payable (Other)	621.34		
Total Current Liabilities		$961.04	
Net Worth:			
Capital		5,119.62	
Total Liabilities and Net Worth			$6,080.66

[fol. 653] Firm No. 35

South Omaha, Nebraska

Balance Sheet as at December 31, 1925

Exhibit B.

Assets			
Current:			
Cash in Bank (General)	$3,360.68		
Cash in Bank (Proceeds)	2,328.14		
		$5,688.82	
Accounts Receivable		1,530.65	
Notes Receivable		910.83	
Total Current Assets		$8,130.30	
Total Assets			$8,130.30
Liabilities and Net Worth			
Current:			
Proceeds Payable	$1,850.86		
Accounts Payable (Yard Co.)	1,206.17		
Accounts Payable (Other)	344.00		
Total Current Liabilities		$3,401.03	
Net Worth:			
Capital		4,729.27	
Total Liabilities and Net Worth			$8,130.30

[fol. 654]

Firm No. 35

South Omaha, Nebraska

Profit and Loss Statement, Year Ended December 31, 1925

Exhibit C.

Income:			
Selling Commission		$24,089.75	
Buying Commission		469.75	
Total Operating Income			$24,559.50
Expenses:			
Owners' Salaries:			
Salesmen	$6,000.00		
Total Owners' Salaries	$6,000.00		
Non-Owners' Salaries:			
Salesmen	6,037.50		
Yardmen	2,130.00		
Office	2,010.00		
Extra Help	140.00		
Commission Paid as Salary	76.45		
Total Non-Owner Salaries	10,393.95		
Total Salaries		16,393.95	
Bonuses Paid		600.00	
Travel & Entertainment		503.21	
Advertising		1,114.50	
Rent		390.00	
Telephone & Telegraph		225.89	
Stationery & Office Supplies		150.38	
General Postage		87.98	
Charity & Donations		126.74	
Insurance		107.73	
Taxes		39.23	
Bond Premiums		47.00	
Exchange Assessments & Dues		324.20	
Meals		56.20	
Miscellaneous		89.28	
Total General Expense		3,862.34	
Total Operating Expense			20,256.29
Net Gain			$4,303.21

[fol. 655] Firm No. 35

South Omaha, Nebraska

Reconciliation of Net Worth Year Ended December 31, 1925

Exhibit D.

Net Worth December 31, 1924	$5,119.62
Additions:	
Net Gain	4,303.21
	9,422.83
Deduct:	
Net Withdrawals	4,693.56
Net Worth December 31, 1925	$4,729.27

[fol. 656] Firm No. 35

South Omaha, Nebraska

Statement of Salaries Year Ended December 31, 1925

Schedule 1

Owners' Salaries:			
#1 Salesman		$6,000.00	
Total Owner's Salaries			$6,000.00
Non-Owner's Salaries:			
Salesmen			
#2 Cattle	Full Time	2,250.00	
#3 "	3½ Mos.	787.50	
#4 Hog	Full Time	3,000.00	
Total Salesmen Salaries			6,037.50
Yardmen:			
#5	Full Time	2,130.00	
Total Yardmen Salaries			2,130.00
Office:			
#6	Full Time	2,010.00	
Total Office			2,010.00
Extra Help:			
Yard			140.00
Commission Paid as Salary:			
1/2 Commission for Selling Sheep			76.45
Total Non-Owner's Salaries			10,393.95
Total Salaries			$16,393.95

[fol. 657]

Firm No. 35

South Omaha, Nebraska

Statement of Commissions Year Ended December 31, 1925

Schedule 2

Selling

Straight Cars:			
Cattle & Calves	$8,991.43		
Hogs	7,272.89		
Sheep	65.70		
		$16,330.02	
Mixed Cars		3,439.62	
Drive-Ins and Truck-Ins:			
Cattle	765.05		
Calves	174.75		
Hogs	2,861.82		
Sheep	9.40		
		3,811.02	
Dealer and Speculator Sales:			
Cattle	86.00		
Calves	3.40		
Hogs	414.12		
		503.52	
Unlocated Difference		5.57	
Total Selling			$24,089.75

Buying

Straight Cars:			
Cattle & Calves	$438.75		
Hogs	15.00		
Sheep	14.00		
		467.75	
Drive-Outs and Truck-outs:			
Cattle		2.00	
Total Buying			469.75

[fol. 658] Firm No. 35

South Omaha, Nebraska

Statement of Volume Year Ended December 31, 1925

Schedule 3

	Selling		
	No. Cars		
	S. D.	D. D.	Head
Straight Cars:			
Cattle & Calves	484	....	12,209
Hogs	491	....	34,767
Sheep	3	1	457
	978	1	47,433
Mixed Cars:			
Cattle & Calves / Hogs / Sheep	179	....	2,112 / 7,467 / 300
	179	....	9,879
Drive-In and Truck-Ins			
Cattle	.....	....	958
Calves	.....	....	439
Hogs	.....	....	10,249
Sheep	.....	....	47
			11,693
Dealer and Speculator:			
Cattle	.....	....	215
Calves	.....	....	17
Hogs	.....	....	4,208
			4,440
Total Selling	1,157	1	73,445
	Buying		
Straight Cars:			
Cattle & Calves	29	....	901
Hogs	1	....	75
Sheep	1	....	150
	31	....	1,126
Drive-Outs and Truck-Outs:			
Cattle	.....	....	2
Total Buying	31	....	1,128

[fol. 659] Ex. 42

Auditor's Report Year ended December 31, 1925

Firm No. 36

South Omaha, Nebraska

Balance Sheet as at December 31, 1924

Exhibit A

Assets

Current:		
Cash in Bank	$5,340.80	
Proceeds Receivable	14.20	
Total Current Assets		$5,355.00
Total Assets		$5,355.00

Liabilities and Net Worth

Current:		
Accts. Payable—Yard Co.	$127.97	
" " —Others	3,468.39	
	$3,596.36	
Total Current Liabilities		$3,596.36
Net Worth:		
Capital		1,758.64
Total Liabilities and Net Worth		$5,355.00

[fol. 660] Firm No. 36

South Omaha, Nebraska

Balance Sheet as at December 31, 1925

Exhibit D

Assets

Current:		
Cash—General Acct.	$1,048.41	
Cash—Proceeds Acct.	546.58	
	$1,594.99	
Total Current Assets		$1,594.99
Fixed:		
Membership	5,000.00	
Office & Operating Equipment	275.00	
Total Fixed Assets		5,275.00
Total Assets		$6,869.99

Liabilities and Net Worth

Current:

Accounts Payable—Yard Co..	$68.21	
" " —Others ...	704.72	
		$722.93
Total Current Liabilities		$ 772.93

Net Worth:

Capital	2,240.96	
Profit—1925	3,856.10	
Total Net Worth		6,097.06
Total Liabilities and Net Worth		$6,869.99

[fol. 661] Firm No. 36

South Omaha, Nebraska

Profit and Loss Statement for Year Ended December 31, 1925

Exhibit C

Income:

Selling Commissions	$2,846.85		
Buying Commissions	2,134.64		
		$4,981.49	
Split Commission Received		2,761.08	
Miscellaneous		327.68	
Total Operating Income			$8,070.25

Expenses:

Non-Owner's Salaries			
Yardmen	1,725.00		
Office	575.00		
Extra Help	394.50		
Total Salaries		2,694.50	
Split Commission paid		70.86	
Advertising		157.44	
Stationery and Office supplies		79.20	
Exchange Assessment and Dues.....		60.82	
Telephone and Telegraph		120.82	
Rent		420.00	
Meals		362.75	
General Postage		5.00	
Bond		55.00	
Charity and Donations		12.50	
Unexplained		2.72	
Miscellaneous		172.54	
Total Expenses			4,214.15
Net Profits			$3,856.10

[fol. 662]

Firm No. 36

South Omaha, Nebraska

Reconciliation of Net Worth Year Ended December 31, 1925

Exhibit D.

Net Worth December 31, 1924		$1,758.64
Additions:		
Membership	$5,000.00	
Furniture & Fixtures	275.00	
Adjustment—Yardage acct. 1924	30.28	
" —Freight " "	.48	
" —Collection " "	.14	
Profit Year 1925	3,856.10	
		9,162.00
		10,920.64
Deductions:		
Withdrawals		4,823.58
Net Worth December 31, 1925		$6,097.06

[fol. 663]

Firm No. 36

South Omaha, Nebraska

Statement of Salaries for Year Ended December 31, 1925

Schedule 1.

Non-Owners' Salaries:		
(*) No. 1 Sheep Yardman—Full time	$1,725.00	
(*) No. 2 Office " "	575.00	
Extra Help—Various	394.50	
Total		$2,694.50

[fol. 664]

Firm No. 36

South Omaha, Nebraska

Statement of Commissions Year Ended December 31, 1925

Schedule 2.

	Selling	
Straight Cars:		
Hogs	$13.35	
Sheep	1,171.55	
		$1,184.90
Mixed Cars		76.95
Drive-ins and Truck-ins:		
Cattle	1.60	
Calves	.40	
Hogs	5.60	
Sheep	1,220.08	
		1,227.68

(*) 25% of Yardman's Salary to office.

Speculator—Yard Sales:			
Hogs	.90		
Sheep	354.55		
		355.45	
Add Unlocated Difference		1.87	
Total Selling			$2,846.85

Buying

Straight Cars:			
Cattle & Calves	75.00		
Hogs	12.00		
Sheep	1,519.80		
		1,606.80	
Drive-outs and Truck-outs:			
Sheep		521.30	
Yard Purchases:			
Sheep		25.70	
		2,153.80	
Less Unlocated Difference		19.16	
Total Buying			$2,134.64

[fol. 665] Firm No. 36

South Omaha, Nebraska

Statement of Volume Year Ended December 31, 1925

Schedule 3.

Selling

	No. Cars	No. Head
Straight Cars:		
Hogs	1	59
Sheep & Goats	64	11,299
	65	11,358
Mixed Cars:		
Hogs / Sheep & Goats	4	89 / 446
	4	535
Drive-ins and Truck-ins:		
Cattle	....	2
Calves	....	1
Hogs	....	20
Sheep & Goats	....	9,656
	....	9,679

	No. Cars	No. Head
Yard Sales:		
Hogs	....	3
Sheep	....	5,543
	....	5,546
Total Selling	69	27,118
Buying		
Straight Cars:		
Cattle & Calves	4	142
Hogs	2	163
Sheep & Goats	85	19,017
	91	19,322
Drive-outs and Truck-outs:		
Sheep	....	5,065
Yard Purchases:		
Sheep	....	361
Total Buying	91	24,748

[fol. 666] Ex. 48.

Auditor's Report Year Ended December 31, 1925

Firm No. 37

South Omaha, Nebraska

Balance Sheet as at December 31, 1924

Exhibit A.

	Assets		
Current:			
Cash on hand	$383.65		
Cash in bank	97.23		
	$480.88		
Accounts Receivable	4,011.62		
Notes Receivable	392.10		
Total Current Assets		$4,884.60	
Fixed:			
Office & Operating Equipment	1,500.00		
Total Fixed Assets		1,500.00	
Deferred		1,257.21	
Total Assets			$7,641.81

Liabilities and Net Worth

Current:			
Accts. Payable—Yard Co.	1,346.08		
" " —Other	310.33		
Total Current Liabilities		1,656.41	
Net Worth:			
Capital	5,985.40		
Total Net Worth		5,985.40	
Total Liabilities and Net Worth			$7,641.81

[fol. 667] Firm No. 37

South Omaha, Nebraska

Balance Sheet as at December 31, 1925

Exhibit B.

Assets

Current:			
Proceeds Bank Account	$207.89		
Accounts Receivable	818.54		
Total Current Assets		$1,026.43	
Fixed:			
Membership	3,500.00		
Office & Operating Equipment	1,500.00		
Total Fixed Assets		5,000.00	
Deferred		160.28	
Total Assets			6,186.71

Liabilities and Net Worth

Current:			
Overdraft—Gen'l Bank Acct.		$201.60	
Accts. Payable—Yard Co.	$818.63		
" " —Others	333.50		
		1,152.13	
Total Current Liabilities		$1,353.73	
Net Worth:			
Capital	4,722.97		
Profit, 1925	110.01		
Total Net Worth		4,832.98	
Total Liabilities and Net Worth			$6,186.71

[fol. 668] **Firm No. 37**

South Omaha, Nebraska

Profit and Loss Statement for Year Ended December 31, 1925

Exhibit C.

Income:			
Selling Commissions		$13,016.43	
Buying Commissions		2,378.35	
Gross Income		15,394.78	
Less Deductions		23.25	
Total Operating Income			$15,371.53
Expenses:			
Owners' Salaries:			
Salesmen	$4,080.00		
Non-Owners' Salaries:			
Salesmen	2,430.00		
Yardmen	2,190.00		
Office	2,015.00		
Extra Help	7.00		
Com. paid as Salary	151.80		
Total Salaries		10,873.80	
Advertising		1,585.46	
Bonuses paid		10.00	
Travel & Entertainment		335.03	
Rent		660.00	
Telephone & Telegraph		481.19	
Charity & Donations		4.00	
Exchange Assessment & Dues		225.09	
Insurance		20.00	
Stationery & Office Supplies		360.82	
Horse & Saddle		64.80	
Bond		18.00	
Meals		17.25	
Legal and Auditing		100.00	
Taxes		19.89	
Unexplained		15.11	
General Postage		14.00	
Miscellaneous		322.71	
Total Operating Expenses			15,127.15
Net Operating Profit			244.38
Other Income:			
Sundry item			51.75
			296.13
Other Deductions:			
Interest			186.12
Net Profit			$110.01

[fol. 669] Firm No. 37

South Omaha, Nebraska

Reconciliation of Net Worth Year Ended December 31, 1925

Exhibit D.

Net Worth December 31, 1924		$5,985.40
Additions:		
Adjustment—Membership	$3,500.00	
" —Yard Account	218.28	
Profit for year 1925	110.01	
		3,828.29
		9,813.69
Deductions:		
Federal Taxes—1924	68.81	
Miscl. Expenses 1924	3.00	
Old notes charged off	392.10	
Accounts charged off (Prior)	2,571.53	
Adjustment feed account	205.82	
" Freight "	106.09	
" Truck "	12.29	
Drawings	1,621.07	
		4,980.71
Net Worth December 31, 1925		$4,832.98

[fol. 670] Firm No. 37

South Omaha, Nebraska

Statement of Salaries for Year Ended December 31, 1925

Schedule 1

Owner's Salary:				
#1 Cattle Salesman	Full time			$ 4,080.00
Non-Owner's Salaries:				
Salesmen:				
#2 Cattle	4½ Mos.	$ 650.00		
#3 "	" "	100.00		
#4 Hog	Full time	1,680.00		
Total Salesmen Salaries			$2,430.00	
Yardmen:				
#5 Cattle	Full time	1,140.00		
#6 "	6 Mos.	150.00		
#7 Hog	(½ time)—12 "	900.00		
Total Yardmen Salaries			2,190.00	

Office:			
#8 Bookkeeper (½ time)—12 Mos.....	900.00		
#9 Stenographer 10¾ Mos.	150.00		
Total Office Salaries		2,015.00	
Extra Help: **Various**		7.00	
Commission paid as salary.....		151.80	
Total Non-Owner's Salaries			6,793.80
Total Salaries			$10,873.80

[fol. 671]

Firm No. 37

South Omaha, Nebraska

Statement of Commissions Year Ended December 31, 1925

Schedule 2

Selling

Straight Cars:			
Cattle & Calves	$7,115.46		
Hogs	2,313.48		
Sheep	40.00		
		$9,468.94	
Mixed Cars:		631.69	
Drive-Ins and Truck-Ins:			
Cattle	714.15		
Calves	53.60		
Hogs	1,234.79		
Sheep	41.00		
		2,043.54	
Dealers and Speculators:			
Cattle & Calves.....	865.70		
Hogs	7.65		
		871.26	
Add Unlocated Difference.....		1.00	
Total Selling.....			$13,016.43

Buying

Straight Cars:			
Cattle & Calves.....	2,118.75		
Hogs	15.00		
Sheep	80.00		
		2,213.75	
Drive-Outs and Truck-Outs:			
Cattle	148.20		
Calves	2.40		
Sheep	14.00		
		164.60	
Total Buying			$2,378.35

[fol. 672] Firm No. 37

South Omaha, Nebraska

Statement of Volume Year Ended December 31, 1925

Schedule 3

Selling

	Cars	Head
Straight Cars:		
Cattle & Calves	388	9,367
Hogs	156	11,449
Sheep	4	467
	548	21,283
Mixed Cars:		
Cattle & Calves / Hogs	35	443 / 1,323
	35	1,766
Drive-Ins and Truck-Ins:		
Cattle	....	924
Calves	....	134
Hogs	....	4,487
Sheep	....	205
		5,750
Dealers and Speculators:		
Cattle and Calves	....	1,911
Hogs	....	27
	....	1,938
Total Selling	....	30,737

Buying

Straight Cars:		
Cattle & Calves	138	4,002
Hogs	1	85
Sheep	8	1,104
	147	5,191
Drive-Outs and Truck-Outs:		
Cattle	....	203
Calves	....	6
Sheep	....	70
		279
Total Buying	147	5,470

[fol. 673] Ex. 44

Auditor's Report Year Ended December 31, 1925

Firm No. 38

South Omaha, Nebraska

Balance Sheet as at December 31, 1924

Exhibit "A"

Assets

Current:			
Cash on hand	285.01		
Cash in bank	19,723.03		
		20,008.04	
Proceeds Receivable		13,081.89	
Accounts Receivable		980.22	
Total Current Assets			34,070.15
Fixed:			
Membership		8,000.00	
Office & Operating Equipment		2,000.00	
Total Fixed Assets			10,000.00
Deferred:			231.73
Total Assets			44,301.88

Liabilities

Current:			
Proceeds Payable		11,186.26	
Accts Payable—Yard Co.	2,935.92		
" " —Other	565.30		
		3,501.22	
Notes Payable		15,000.00	
Accrued Liabilities		483.53	
Total Current Liabilities			30,171.01
Net Worth:			
Capital			14,130.87
Total Liabilities and Net Worth			44.301.88

[fol. 674] Firm No. 38

South Omaha, Nebraska

Balance Sheet as of December 31, 1925

Exhibit "B"

Assets

Current:			
Cash on hand	$ 306.95		
Cash in Bank—General	4,301.23		
Cash in Bank—Proceeds	5,013.05		
		$ 9,621.23	
Accounts Receivable		92.00	
Total Current Assets			$ 9,713.23
Fixed:			
Membership		8,000.00	
Office & Operating Equipment		1,210.00	
Total Fixed Assets			9,210.00
Deferred:			209.14
Total Assets			$19,132.37

Liabilities

Current:			
Proceeds Payable		$ 2,141.32	
Accts. Payable—Yard Co.	$2,890.03		
Accts. Payable—Other	2,016.19		
		5,506.22	
Accrued Liabilities		274.59	
Total Current Liabilities			$7,922.13
Net Worth:			
Capital		11,210.24	
Total Net Worth			11,210.24
Total Liabilities and Net Worth			$19,132.37

[fol. 675] Firm No. 38

South Omaha, Nebraska

Profit and Loss Statement Year Ended December 31, 1925

Exhibit C.

Income:			
Selling Commission		$44,898.86	
Buying Commission		1,428.75	
			$46,327.61
Miscellaneous Income			1,800.00
Total Operating Income			$48,127.61

Expenses:

Owners' Salaries:			
Salesman		7,200.00	
Non-Owners' Salaries:			
Salesmen	$12,944.96		
Order Buyer	400.00		
Yardmen	5,402.50		
Office	4,435.00		
Extra Help	117.00		
		23,299.46	
Total Salaries			30,499.46
Travel & Entertainment		3,367.66	
Advertising		3,717.21	
Rent		930.00	
Telephone & Telegraph		639.83	
Stationery & Office Expense		521.07	
General Postage		192.00	
Charity		170.87	
Horse & Saddle		18.00	
Insurance		10.38	
Taxes		80.60	
Bond Premium		88.16	
Exchange Assessments & Dues		578.72	
Meals		46.55	
Depreciation		400.00	
Errors & Adjustments		39.18	
Miscellaneous		937.87	
			11,738.10
Total Operating Expenses			42,237.56
Net Operating Profit			5,890.05
Other Deductions:			
Interest & Other			1,070.46
Net Gain			$4,819.59

[fol. 676] Firm No. 38

South Omaha, Nebraska

Reconciliation of Net Worth Year Ended December 31, 1925

Exhibit D.

Net Worth as of December 31, 1924		$14,130.87
Additions:		
Net Gain Year 1925		4,819.59
		18,950.46
Deductions:		
Personal Withdrawals	$6,167.38	
Employees 5% of 1924 Profits	668.27	
Income Tax	904.57	
		7,740.22
Net Worth as of December 31, 1925		$11,210.24

[fol. 677] Firm No. 38

South Omaha, Nebraska

Statement of Salaries Year Ended December 31, 1925

Schedule #1.

Owners' Salary:				
A.	#1.	Salesman, Hog—Full Time		$7,200.00
Non-Owners' Salaries:				
Salesmen:				
	#2.	Cattle—8½ Mos.	$3,430.00	
	#3.	Cattle—3½ Mos.	1,339.71	
B.	#4.	Cattle—Full Time	3,175.25	
	#5.	Sheep— " "	5,000.00	
		Total Salesmen		$12,944.96
	#6.	Order Buyer		400.00
Yardmen:				
	#7.	Cattle—5 Mos.	625.00	
C.	#8.	Cattle—3½ Mos.	202.50	
	#9.	Hog—Full time	2,400.00	
D.	#10.	Hog " "	1,800.00	
	#11.	Hog—3 Mos.	375.00	
		Total Yardmen		5,402.50
Office:				
	#12.	Bookkeeper—Full time	3,000.00	
	#13.	Stenographer—8½ Mos.	1,125.00	
	#14.	Stenographer—3½ Mos.	310.00	
		Total Office		4,435.00
		Extra Help		117.00
		Total Non-Owners' Salaries		23,299.46
		Total Salaries		$30,499.46

A. ⅔ Time Hog Salesman, ⅓ Time Office.
B. ¾ Time Cattle Salesman, ¼ Time Soliciting.
C. ⅔ Time Cattle Yardman, ⅓ Time Hog Yardman.
D. 75% Time Hog Yardman, 15% Cattle Yardman, 10% Sheep Yardman.

[fol. 678] Firm No. 38

South Omaha, Nebraska

Statement of Commissions Year Ended December 31, 1925

Schedule 2.

	Selling	
Straight Cars:		
Cattle and Calves	$11,024.54	
Hogs	18,440.56	
Sheep	6,840.80	
		$36,305.90
Mixed Cars		4,779.14

Drive-ins and Truck-ins:

Cattle	249.40		
Calves	44.95		
Hogs	1,019.62		
Sheep	129.00		
		1,442.97	
Dealers and Speculators:			
Cattle and Calves	1,131.05		
Hogs	1,162.00		
Sheep	77.80		
		2,370.85	
Total Selling			$44,898.86

Buying

Straight Cars:

Cattle and Calves	1,176.65		
Sheep	245.60		
		1,422.25	
Drive-outs and Truck-outs:			
Cattle	2.00		
Dealers and Speculators:			
Cattle		4.50	
Total Buying			$1,428.75

[fol. 679] Firm No. 38

South Omaha, Nebraska

Statement of Volume Year Ended December 31, 1925

Schedule 3.

Selling

	Cars		
	Double deck.	Single deck	Head
Straight Cars:			
Cattle and Calves	.....	580	15,007
Hogs	152	1,040	94,054
Sheep	329	15	86,299
	481	1,635	195,360
Mixed Cars:			
Cattle and Calves / Hogs / Sheep	.....	252	2,156 / 12,290 / 558
	.....	252	15,004
Truck-ins and Drive-ins:			
Cattle	.....	....	312
Calves	.....	....	120
Hogs	.....	....	3,639
Sheep	.....	....	1,146
	.....	....	5,217

	Cars		
	Double deck.	Single deck	Head
Speculators and Dealers:			
Cattle and Calves	.....	....	2,165
Hogs	.....	....	12,271
Sheep	.....	....	1,852
	.....	....	16,288
Total Selling	481	1,887	231,869
Buying			
Straight Cars:			
Cattle and Calves	...	78	2,363
Sheep	9	3	3,303
	9	81	5,666
Truck-Outs and Drive-Outs:			
Cattle	...	....	2
Speculators and Dealers:			
Cattle	...	....	6
Total Buying	9	81	5,674

[fol. 680] Exhibit 45.

Auditor's Report Year Ended December 31, 1925.

Firm No. 39

South Omaha, Nebraska

Balance Sheet as at December 31, 1924

Exhibit A.

	Assets		
Current:			
Cash on Hand	$250.00		
Cash in Bank	2,856.83		
		$3,106.83	
Proceeds Receivable		5,764.80	
Accounts Receivable		966.06	
Other Stocks, Bonds & Inv.		500.00	
Miscellaneous		15,775.07	
Total Current Assets			$26,112.76
Fixed:			
Memberships		1,700.00	
Office & Operating Equipment		3,728.70	
Total Fixed Assets			5,428.70
Deferred			137.50
Total Assets			$31,678.96

Liabilities and Net Worth

Current:		
Accounts Payable (Other)	$16,175.81	
Total Current Liabilities		$16,175.81
Net Worth:		
Capital		15,503.15
Total Liabilities and Net Worth		$31,678.96

[fol. 681]

Firm No. 39

South Omaha, Nebraska

Balance Sheet as at December 31, 1925

Exhibit B.

	Assets		
Current:			
Cash on Hand	250.00		
Cash in Bank—Shippers Pro.	1,910.14		
Cash in Bank—Gen. Acct.	11.04		
		$2,171.18	
Proceeds Receivable		2,275.09	
Accounts Receivable		2,220.79	
Other Stocks, Bonds & Inv.		500.00	
Miscellaneous		12,062.57	
Total Current Assets			$19,229.63
Fixed:			
Memberships		1,700.00	
Office & Operating Equip.	4,407.67		
Less Depreciation	627.51		
		3,780.16	
Total Fixed Assets			5,480.16
Total Assets			$24,709.79

Liabilities and Net Worth

Current:			
Estray Account		$3,922.00	
Accounts Payable (Other)		13,128.60	
Accrued Liabilities		508.81	
Total Current Liabilities			17,559.41
Net Worth:			
Capital		7,501.54	
Less Profit & Loss Acct.—Debit		351.16	
Total Net Worth			7,150.38
Total Liabilities and Net Worth			$24,709.79

[fol. 682] Firm No. 39

South Omaha, Nebraska

Profit and Loss Statement Year Ended December 31, 1925

Exhibit C.

Income:			
Selling Commissions	$106,934.27		
Buying Commissions	4,051.48		
		$110,985.75	
Miscel. Income—Com. not on Acct. Sales		9.80	
		110,995.55	
Less Deductions—Errors in Commissions		35.10	
Total Operating Income			$110,960.45
Expenses:			
Owners Salaries:			
Salesmen	18,300.00		
Non-Owners Salaries:			
Salesmen	$8,450.00		
Order Buyers	3,600.00		
Solicitors	3,600.00		
Yardmen	9,803.70		
Office	6,105.00		
Extra Help	1,589.00		
Commission Paid as Salary	303.80		
Other—Brand Man	2,500.00		
	35,951.50		
Total Salaries		54,251.50	
Bonuses Paid	4,915.00		
Travel & Entertainment	5,493.68		
Advertising	18,193.05		
Rent	1,650.00		
Telephone & Telegraph	1,189.85		
Stationary & Office Expense	1,754.33		
General Postage	881.17		
Charity & Donations	429.00		
Horse & Saddle	1,376.75		
Insurance	1,444.21		
Taxes	30.50		
Bond Premiums	102.00		
Exchange Assessments & Dues	1,456.59		
Legal & Auditing	115.00		
Meals	209.15		
Depreciation	627.51		
Errors & Adjustments	145.32		
Miscellaneous	896.17		
		40,909.48	
Total Operating Expense			95,160.98
Net Operating Profit			15,799.47

Other Expense:	
Interest Paid	7.47
Net Gain	$15,792.00

[fol. 683] Firm No. 39

South Omaha, Nebraska

Reconciliation of Net Worth Year Ended December 31, 1925

Exhibit D.

Net Worth, December 31, 1924		$15,503.15
Additions:		
Net Gain	$15,792.00	
Other	1,730.37	
		17,522.37
Total		33,025.52
Deductions:		
Other		25,875.14
Net Worth, December 31, 1925		$7,150.38

[fol. 684] Firm No. 39

South Omaha, Nebraska

Statement of Salaries for Year Ended December 31, 1925

Schedule 1.

Owners Salaries:				
#1.	Cattle Salesman	5 Mo.	$3,000.00	
#2.	Cattle Salesman	12 Mo.	8,100.00	
#3.	Hog Salesman	12 Mo.	7,200.00	
	Total Owners Salaries			$18,300.00
Non-Owners Salaries:				
#4.	Cattle Salesman	12 Mo.	3,950.00	
#5.	Hog Salesman	12 Mo.	2,700.00	
#6.	Hog Salesman	12 Mo.	1,800.00	
	Total Salesmen			8,450.00
#7.	Cattle Order Buyer	12 Mo.	.....	3,600.00
#8.	Solicitor	12 Mo.	.....	3,600.00
#9.	Cattle Yardman	12 Mo.	2,200.00	
#10.	Cattle Yardman	12 Mo.	1,500.00	
#11.	Cattle Yardman	12 Mo.	1,500.00	
#12	Cattle Yardman	3½ Mo.	437.50	
#19.	Cattle Yardman	7½ Mo.	871.20	
#20.	Cattle Yardman	12 Mo.	1,375.00	
#13.	Hog Yardman	12 Mo.	1,920.00	
	Total Yardmen			9,803.70

#14.	Cashier	12 Mo.	2,400.00	
#15.	Office	2 Mo.	300.00	
#21.	Office	4 Mo.	440.00	
#16.	Stenographer	12 Mo.	1,725.00	
#17.	Stenographer	12 Mo.	1,240.00	
	Total Office			6,105.00
	Extra Yard Help		299.00	
	Extra Office Help		1,290.00	
	Total Extra			1,589.00
	Commission Paid as Salary—Sheep			303.80
#18.	Cattle Brand Man	12 Mo.		2,500.00
	Total Non-Owners Salaries			35,951.50
	Total Salaries			$54,251.50

[fol. 685] Firm No. 39

South Omaha, Nebraska

Statement of Commissions Year Ended December 31, 1925

Schedule 2.

Selling

Straight Cars:			
Cattle and Calves	$60,810.88		
Hogs	20,452.34		
Sheep	192.25		
		$81,455.47	
Mixed Cars		8,607.42	
Drive-Ins and Truck-Ins:			
Cattle	3,065.04		
Calves	669.10		
Hogs	6,614.71		
Sheep	171.26		
		10,520.11	
Speculators & Yard:			
Cattle and Calves	4,094.05		
Hogs	1,975.32		
		6,069.37	
		106,652.37	
Add Unlocated Difference		281.90	
Total Selling Commissions			$106,934.27

Buying

Straight Cars:			
Cattle and Calves	$3,704.00		
Hogs	176.00		
Sheep	20.00		
		$3,900.00	

Drive-Outs and Truck-Outs:			
Cattle	$154.45		
Calves	1.60		
Hogs	78.72		
Sheep	11.80		
		246.57	
Speculator and Yard:			
Hogs		42.00	
		4,188.57	
Less Unlocated Difference		137.09	
Total Buying Commissions			$4,051.48

[fol. 686] Firm No. 39

South Omaha, Nebraska

Statement of Volume Year Ended December 31, 1925

Schedule 3.

Selling

	Cars		
	S. D.	D. D.	Head
Straight Cars:			
Cattle and Calves	3,251	..	87,384
Hogs	1,377	25	99,393
Sheep	5	6	1,840
	4,633	31	188,617
Mixed Cars:			
Cattle and Calves, Hogs, Sheep	459	..	4,923 / 19,434 / 702
	459	..	25,059
Drive-Ins and Truck-Ins:			
Cattle	....	..	3,873
Calves	....	..	1,687
Hogs	....	..	23,756
Sheep	....	..	904
			30,220
Speculator and Yard:			
Cattle and Calves	....	..	10,303
Hogs	....	..	19,599
			29,902
Total Selling	5,092	31	273,798

Buying

Straight Cars:			
Cattle and Calves	240	..	7,821
Hogs	7	9	2,077
Sheep	....	1	325
	247	10	10,223

	Cars		
	S. D.	D. D.	Head
Drive-Outs and Truck-Outs:			
Cattle	....	..	279
Calves	....	..	4
Hogs	....	..	407
Sheep	....	..	59
			749
Speculator and Yard:			
Hogs	....	..	325
Total Buying	247	10	11,297

[fol. 687]

EXHIBIT 46

Auditor's Report Year Ended December 31, 1925

Firm No. 40

South Omaha, Nebraska

Balance Sheet as at December 31, 1924

Exhibit A.

Assets

Current:		
Cash in Bank	$12,240.18	
Proceeds Receivable	2,994.09	
Accounts Receivable	75.00	
Total Current Assets		$15,309.27
Fixed:		
Office and Operating Equipment		2,941.35
Total Assets		$18,250.62

Liabilities and Net Worth

Current:		
Accounts Payable (Yard Co.)	$3,222.29	
Accounts Payable (Other)	70.40	
Total Current Liabilities		$3,292.69
Net Worth:		
Capital	7,200.00	
Undivided Profits	7,757.93	
Total Net Worth		14,957.93
Total Liabilities and Net Worth		$18,250.62

[fol. 688] Firm No. 40

South Omaha, Nebraska

Balance Sheet as at December 31, 1925

Exhibit B.

Assets		
Current:		
Cash in Bank	$8,324.62	
Accounts Receivable	75.00	
Total Current Assets		$8,399.62
Fixed:		
Office and Operating Equipment		3,962.91
Deferred:		
Subscriptions prepaid		10.62
Total Assets		$12,373.15
Liabilities and Net Worth		
Current:		
Accounts Payable (Yard Co.)	$1,172.05	
Accounts Payable (Other)	56.25	
Total Current Liabilities		$1,228.30
Net Worth:		
Capital	7,200.00	
Undivided Profits	3,944.85	
Total Net Worth		11,144.85
Total Liabilities and Net Worth		$12,373.15

[fol. 689] Firm No. 40

South Omaha, Nebraska

Profit and Loss Statement for Year Ended December 31, 1925

Exhibit C.

Income:		
Selling Commission	$34,720.18	
Buying Commission	4,092.40	
	$38,812.58	
Split Commission Received	303.31	
Gross Income	39,115.89	
Less Deductions	24.20	
Total Operating Income		$39,091.69
Expenses:		
Owners' Salaries:		
Salesmen	14,400.00	

Non-Owners' Salaries:			
Salesmen	3,000.00		
Yardmen	4,800.00		
Office	3,075.00		
Extra Help	118.00		
Commission Paid as Salary	48.00		
		11,041.00	
Total Salaries		25,441.00	
Travel and Entertainment	2,139.12		
Advertising	5,738.38		
Rent	792.00		
Telephone and Telegraph	410.05		
Stationery & Office Supplies	593.32		
General Postage.	13.07		
Horse and Saddle	29.50		
Insurance	329.97		
Taxes	70.71		
Bond Premium	53.00		
Exchange Assessments and Dues	483.79		
Meals	36.30		
Errors and Adjustments	8.53		
Unexplained Items	37.15		
Miscellaneous	374.51		
		11,109.40	
Total Operating Expenses:			36,550.40
Net Operating Profit			2,541.29
Other Income:			
Interest			3.68
			2,544.97
Other Deductions:			
Freight—Yard Co			10.71
Net Gain			$2,534.26

[fol. 690] **Firm No. 40**

South Omaha, Nebraska

Reconciliation of Net Worth Year Ended December 31, 1925

Exhibit D.

Net Worth December 31, 1924			$14,957.93
Additions:			
Net Gain		$2,534.26	
Miscellaneous		134.82	
			2,669.08
			17,627.01
Deductions:			
Partners' Withdrawals		6,199.17	
Expenses—1924		282.99	
			6,482.16
Net Worth as of December 31, 1925			$11,144.85

[fol. 691]

Firm No. 40

South Omaha, Nebraska

Statement of Salaries Year Ended December 31, 1925

Schedule 1.

Owners' Salaries:				
Salesmen:				
#1 Cattle	Full time			$4,800.00
#2 Hog	" "			4,800.00
#3 Sheep	" "			4,800.00
Total Owners' Salaries				$14,400.00
Non-Owners' Salaries:				
Salesman:				
#4 Cattle	Full time			3,000.00
Yardmen:				
#5 General	" "		$1,800.00	
#6 "	" "		1,500.00	
#7 "	4 Months		600.00	
#8 "	6 "		900.00	
				4,800.00
Office:				
#9 Bookkeeper	Full time		11,800.00	
#10 Stenographer	9 Months		900.00	
#11 "	3¾		375.00	
				3,075.00
Extra Help				118.00
Commission paid as Salary				48.00
Total Non-Owners' Salaries				11,041.00
Total Salaries				$25,441.00

[fol. 692]

Firm No. 40

South Omaha, Nebraska

Statement of Commissions Year Ended December 31, 1925

Schedule 2.

	Selling	
Straight Cars:		
Cattle & Calves	$11,787.36	
Hogs	10,696.71	
Sheep	6,392.70	
		$28,876.77
Mixed Cars		3,212.33

Drive-Ins & Truck-Ins:			
Cattle	357.70		
Calves	60.63		
Hogs	789.07		
Sheep	730.59		
		1,937.99	
Dealer and Speculator Sales:			
Cattle & Calves	132.80		
Hogs	530.04		
Sheep	22.22		
		685.06	
		34,712.15	
Add Unlocated Difference		8.03	
Total Selling			$34,720.18

Buying

Straight Cars:			
Cattle & Calves	588.75		
Hogs	828.00		
Sheep	2,616.00		
		4,032.75	
Drive-Outs and Truck-Outs:			
Cattle	11.60		
Calves	12.00		
Sheep	108.20		
		131.80	
		4,164.55	
Less Unlocated Difference		72.15	
Total Buying			$4,092.40

[fol. 693] Firm No. 40

South Omaha, Nebraska

Statement of Volume Year Ended December 31, 1925

Schedule 3.

Selling

	No. Cars		
	S. D.	D. D.	No. Head
Straight Cars:			
Cattle & Calves	613	...	16,472
Hogs	659	55	53,484
Sheep	78	264	72,316
	1,350	319	142,272
Mixed Cars:			
Cattle & Calves	174	...	1,744
Hogs	...	...	7,268
Sheep	...	...	1,169
	174	...	10,181

	No. Cars S. D.	No. Cars D. D.	No. Head
Drive-Ins and Truck-Ins:			
Cattle	...	...	472
Calves	...	...	156
Hogs	...	...	2,823
Sheep	...	...	4,224
			7,675
Speculator—Yard Sales:			
Cattle & Calves	...	...	349
Hogs	...	...	5,528
Sheep	...	...	493
			6,370
Total Selling	1,524	319	166,498
Buying			
Straight Cars:			
Cattle & Calves	38	...	1,409
Hogs	12	33	12,166
Sheep	32	106	37,464
	82	139	51,039
Truck-Outs and Drive-Outs:			
Cattle	...	...	13
Calves	...	...	40
Sheep	...	...	541
			594
Total Buying	82	139	51,633

[fol. 694]

Ex. 47

Auditor's Report, Year Ended December 31, 1925

Firm No. 41

South Omaha, Nebraska

Balance Sheet as at December 31, 1924

Exhibit A.

Assets		
Current:		
Cash in Bank (Shippers Proceeds)	$686.98	
Accounts Receivable	10,623.57	
Total Current Assets		$11,310.55
Deferred:		
Yard Company		1,959.40
Total Assets		$13,269.95

Liabilities and Net Worth

Current:			
Bank Overdraft		$39.54	
Accounts Payable (Yard Co.)	$430.27		
Accounts Payable (Other)	455.15		
		885.42	
Notes Payable		7,000.00	
Total Current Liabilities			$7,924.96
Net Worth:			
Capital			5,344.99
Total Liabilities and Net Worth			$13,269.95

[fol. 695] Firm No. 41

South Omaha, Nebraska

Balance Sheet as at December 31, 1925

Exhibit B.

Assets

Current:			
Cash in Bank (Shippers Proceeds)	$505.73		
Cash in Bank (General)	169.26		
		$674.99	
Accounts Receivable		2,985.08	
Total Current Assets			$3,660.07
Total Assets			$3,660.07

Liabilities and Net Worth

Current:			
Proceeds Payable (Held a/c Brands)		$200.00	
Accounts Payable (Yard Co.)	$682.92		
Accounts Payable (Other)	560.65		
		1,243.57	
Notes Payable		6,000.00	
Total Current Liabilities			$7,443.57
Net Worth:			
Deficit			3,783.50
Total Liabilities and Net Worth			$3,660.07

[fol. 696] Firm No. 41

South Omaha, Nebraska

Profit and Loss Statement Year Ended December 31, 1925

Exhibit C.

Income:			
Selling Commissions		$13,529.08	
Buying Commissions		5,352.58	
Gross Income			$18,881.66
Less Deductions			6.00
Total Operating Income			$18,875.66

Expenses:			
Non-Owners' Salaries:			
Yardmen	$1,855.00		
Extra Help	511.00		
Com. Paid as Salaries.	24.70		
		2,390.70	
Total Salaries			2,390.70
Bonuses Paid		68.00	
Travel & Entertainment		993.40	
Advertising		395.51	
Split Commission Paid		2,470.68	
Telephone & Telegraph		431.11	
Stationery & Office Expense (Including General Postage)		65.07	
Horse & Saddle		6.00	
Insurance		197.41	
Taxes		6.32	
Bond Premiums		50.00	
Exchange Assessments & Dues		294.13	
Legal & Auditing		10.00	
Meals		76.00	
Errors & Adjustments		87.84	
Miscellaneous Operating Expense		316.14	
			5,467.61
Total Operating Expense			7,858.31
Net Operating Profit			11,017.35
Other Income			3.00
			11,020.35
Other Deductions:			
Interest Paid			680.37
Net Gain			$10,339.98

[fol. 697] Firm No. 41

South Omaha, Nebraska

Reconciliation of Net Worth Year Ended December 31, 1925

Exhibit D.

Net Worth December 31, 1924		$5,344.99
Additions:		
Net Gain	$10,339.98	
Additional Investment	550.00	
		10,889.98
Total		14,234.97
Deductions:		
Withdrawals	11,677.92	
Other	6,340.55	
		18,018.47
Deficit December 31, 1925		$3,783.50

[fol. 698] Firm No. 41

South Omaha, Nebraska

Statement of Salaries Year Ended December 31, 1925

Schedule 1.

Non-Owners:		
#1 Yardman—Cattle, 12 Mos.	$1,855.00	
Extra Help—Cattle	511.00	
Commissions Paid as Salaries	24.70	
Total Salaries		$2,390.70

[fol. 699] Firm No. 41

South Omaha, Nebraska

Statement or Commissions Year Ended December 31, 1925

Schedule 2.

Selling

Straight Cars:			
Cattle & Calves	$7,106.35		
Hogs	870.95		
Sheep	34.00		
		$8,011.30	
Mixed Cars		951.81	
Drive-Ins and Truck-In Sales:			
Cattle & Calves	73.42		
Hogs	84.63		
		158.05	
Dealer and Speculator Sales:			
Cattle	4,413.87		
Calves	4.05		
		4,417.92	
Total Selling			$13,539.08
Less Error on Books			10.00
			$13,529.08

Buying

Straight Cars:			
Cattle & Calves	2,627.00		
Sheep	20.00		
		2,647.00	
Drive-Out and Truck-Out Purchases:			
Cattle		59.25	
Dealer and Speculator Purchases:			
Cattle		2,661.33	
Total Buying		5,367.58	
Less Error on Books		15.00	
			5,352.58
Total Commissions			$18,881.66

[fol. 700]

Firm No. 41

South Omaha, Nebraska

Statement of Volume Year Ended December 31, 1925

Schedule 3.

Selling

	No. Cars S. D.	No. Cars D. D.	No. Head
Straight Cars:			
Cattle & Calves	389	...	9,896
Hogs	60	1	4,366
Sheep	1	1	310
Total	450	2	14,572
Mixed Cars:			
Cattle	49	...	371
Calves			176
Hogs			2,293
Sheep			79
Total	49	...	2,919
Drive-In and Truck-In Sales:			
Cattle	...	...	78
Calves	...	...	29
Hogs	...	...	296
Total	...	...	403
Dealer and Speculator Sales:			
Cattle	...	...	10,271
Calves	...	...	11
Total	...	...	10,282
Total Selling	499	2	28,176

Buying

Straight Cars:			
Cattle & Calves	172	...	4,970
Sheep	...	1	303
Total	172	1	5,273
Drive-Out and Truck-Out Purchases:			
Cattle	...	...	93
Dealer and Speculator Purchases:			
Cattle	...	...	4,959
Total Buying	172	1	10,325
Total Volume	671	3	38,501

[fol. 701] **Ex. 48**

Auditor's Report Year Ended December 31, 1925

Firm No. 42

South Omaha, Nebraska

Balance Sheet as at December 31, 1924

Exhibit A.

Assets

Current:			
Proceeds Receivable	$2,574.78		
Accounts Receivable	159.64		
Total Current Assets		$2,734.42	
Fixed:			
Office and Operating Equipment		111.24	
Total Assets			$2,845.66

Liabilities and Net Worth

Current:			
Bank Overdraft	5.45		
Accounts Payable (Yard Co.)	716.49		
Accounts Payable (Other)	42.98		
Total Current Liabilities		764.92	
Net Worth:			
Capital		2,080.74	
Total Liabilities and Net Worth			$2,845.66

[fol. 702] **Firm No. 42**

South Omaha, Nebraska

Balance Sheet as at December 31, 1925

Exhibit B.

Assets

Current:			
Cash in Bank	$2,866.68		
Accounts Receivable	159.96		
Total Current Assets		$3,026.64	
Fixed:			
Office and Operating Equipment		111.24	
Total Assets			$3,137.88

Liabilities and Net Worth

Current:			
Accounts Payable (Yard Co.)	$1,038.23		
Accounts Payable (Other)	43.26		
Total Current Liabilities		$1,081.49	
Net Worth:			
Capital		2,056.39	
Total Liabilities and Net Worth			$3,137.88

[fol. 703] Firm No. 42

South Omaha, Nebraska

Profit and Loss Statement Year Ended December 31, 1925

Income:			
Selling Commissions	$21,141.29		
Buying Commission	731.85		
		$21,873.14	
Miscellaneous Income		4.69	
Total Operating Income			$21,877.83
Expense:			
Non-Owners' Salaries:			
Yardmen	2,100.00		
Office	1,800.00		
Extra Help	322.80		
Total Salaries		4,222.80	
Clearance & Split Com. Paid	30.80		
Advertising	987.53		
Rent	450.00		
Telephone & Telegraph	131.31		
Stationery & Office Expense	123.02		
General Postage	45.00		
Insurance	24.27		
Taxes	11.40		
Bond Premiums	38.00		
Exchange Assessments & Dues	237.97		
Meals	3.85		
Miscellaneous	18.30		
		2,101.45	
Total Operating Expense			6,324.25
Net Operating Profit			15,553.58
Other Income:			
Freight and Yardage			4.29
Total			15,557.87
Deductions from Income:			
Loss on Insurance, Inspection & Meat Board		10.56	
Loss on Feed		4.24	
			14.80
Net Gain			$15,543.07

[fol. 704] Firm No. 42

South Omaha, Nebraska

Reconciliation of Net Worth Year Ended December 31, 1925

Exhibit D.

Net Worth, December 31, 1924	$2,080.74
Additions:	
Net Gain	15,543.07
Total	17,623.81
Deductions:	
Withdrawals	15,567.42
Net Worth, as of December 31, 1925	$2,056.39

[fol. 705] Firm No. 42

South Omaha, Nebraska

Statement of Salaries Year Ended December 31, 1925

Schedule 1.

Non-Owners' Salaries:	
#1 Yardman*	$2,100.00
#2 Office	1,800.00
Extra Help	322.80
Total Salaries	$4,222.80

[fol. 706] Firm No. 42

South Omaha, Nebraska

Statement of Commissions, Year Ended December 31, 1925

Schedule 2.

	Selling	
Straight Cars:		
Cattle & Calves	$9,694.36	
Hogs	3,943.15	
Sheep	54.00	
		$13,691.51
Mixed Cars		1,972.50
Yard Sales:		
Cattle and Calves	547.40	
Hogs	3,581.68	
		4,229.08

* Cattle & Hog Depts. Also sells hogs in Truck Division.

Drive-Ins and Truck-Ins:			
Cattle	429.77		
Calves	64.37		
Hogs	842.10		
Sheep	9.60		
		1,345.84	
		21,138.93	
Add Unlocated Difference		2.36	
Total Selling			$21,141.29

Buying

Straight Cars:		
Cattle	719.10	
Drive-Outs and Truck-Outs:		
Cattle	12.75	
Total Buying		$731.85

[fol. 707]

Firm No. 42

South Omaha, Nebraska

Statement of Volume, Year Ended December 31, 1925

Schedule 3.

Selling

	No. Cars		
	S. D.	D.D.	No. Head
Straight Cars:			
Cattle and Calves	..	503	13,647
Hogs	3	269	18,702
Sheep	2	1	648
	5	773	32,997
Mixed Cars:			
Cattle and Calves, Hogs, Sheep	..	103	1,138 / 4,489 / 2
	..	103	5,629
Yard Sales:			
Cattle and Calves	..	...	1,372
Hogs	..	...	35,305
	..	...	36,677
Drive-Ins and Truck-Ins:			
Cattle	..	...	537
Calves	..	...	161
Hogs	..	...	3,015
Sheep	..	...	48
			3,761
Total Selling	5	876	79,064

Buying

	No. Cars S. D.	No. Cars D.D.	No. Head
Straight Cars:			
Cattle	..	49	1,406
Drive-Outs and Truck-Outs:			
Cattle	..	...	17
Total Buying	..	49	1,423

[fol. 708]

Ex. 49

Auditor's Report, Year Ended December 31, 1925

Firm No. 43

South Omaha, Nebraska

Balance Sheet as at December 31, 1924

Exhibit A.

Assets

Current:			
Cash on Hand	$184.71		
Proceeds Receivable	9,114.33		
Accounts Receivable	15,198.73		
Notes Receivable	14,633.86		
Miscellaneous	21,686.52		
Total Current Assets		$60,818.15	
Fixed:			
Membership	1,000.00		
Office & Operating Equipment	2,800.00		
Total Fixed Assets		3,800.00	
Deferred:			
Suspense Account		193.17	
Total Assets			$64,811.32

Liabilities and Net Worth

Current:			
Bank Overdraft	$24,363.58		
Accounts Payable—Other	9,968.67		
Total Current Liabilities		$34,332.25	
Net Worth:			
Capital	30,479.07		
Total Net Worth		30,479.07	
Total Liabilities and Net Worth			$64,811.32

[fol. 709]

Firm No. 43

South Omaha, Nebraska

Balance Sheet as at December 31, 1925

Exhibit B.

Assets

Current:			
Cash on Hand	$163.74		
Accounts Receivable	12,503.36		
Notes Receivable	12,645.08		
Miscellaneous	17,036.73		
Total Current Assets		$42,348.91	
Fixed:			
Membership	1,000.00		
Office & Operating Equipment	2,400.00		
Total Fixed Assets		3,400.00	
Deferred:			
Suspense Account		318.37	
Total Assets			$46,067.28

Liabilities and Net Worth

Current:			
Bank Overdraft	$6,896.37		
Accounts Payable Other	11,307.98		
Total Current Liabilities		$18,204.35	
Net Worth:			
Capital	27,862.93		
Total Net Worth		27,862.93	
Total Liabilities and Net Worth			$46,067.28

[fol. 710]

Firm No. 43

South Omaha, Nebraska

Profit and Loss Statement, Year Ended December 31, 1925

Exhibit C.

Income:			
Selling Commission	$86,441.88		
Buying Commission	2,488.00		
		$88,929.88	
Split Commission		631.48	
Miscellaneous Income		1,898.70	
Gross Income		91,460.06	
Less: Deductions		16.45	
Total Operating Income			$91,443.61

Expenses:

Owners' Salaries:

Manager	$10,800.00	
Salesmen	10,800.00	
Other	600.00	
		$22,200.00

Non-Owners' Salaries:

Salesmen	18,935.00	
Yardmen	6,107.00	
Office	6,837.50	
Extra Help	88.65	
		31,968.15
Total Salaries		$54,168.15
Bonuses Paid	140.00	
Travel & Entertainment	4,063.20	
Advertising	6,875.00	
Rent	840.00	
Telephone & Telegraph	827.58	
Stationery & Office Expense	718.37	
Charity & Donations	110.00	
Horse & Saddle	285.60	
Insurance	923.23	
Taxes	31.88	
Bond Premiums	92.00	
Exchange Assessments & Dues	998.45	
Legal & Auditing	447.50	
Meals	611.35	
Membership Rentals	700.00	
Depreciation	400.00	
Errors & Adjustments	17.63	
Miscellaneous	522.17	
		18,603.96
Total Operating Expenses		$72,772.11
Net Operating Profit		18,671.50

Other Deductions:

Interest Paid	141.42
Net Gain	$18,530.08

[fol. 711] Firm No. 43

South Omaha, Nebraska

Reconciliation of Net Worth, Year Ended December 31, 1925

Exhibit D.

Net Worth, December 31, 1924		$30,479.07
Additions:		
Net Gain	$18,530.08	
Salaries credited to Partners	22,200.00	
Checks credited to Partners	3,681.84	
Profit on Sale of Membership	2,600.00	
Credit to Partner's Account for Traveling & Legal Expense incurred in interests of firm	700.00	

Debit Balance in retiring Partner's Account transferred to Accounts Receivable	110.81	
Credit applicable to 1924 operations transferred from Expense Account	309.59	
Total		48,132.32
		78,611.39
Deductions:		
Withdrawals	50,071.13	
Uncollectible Accounts	677.33	
Total		50,748.46
Net Worth, December 31, 1925		$27,862.93

[fol. 712]

Firm No. 43

South Omaha, Nebraska

Statement of Salaries, Year Ended December 31, 1925

Schedule 1.

Owners' Salaries:			
# 1 Manager,	12 Mo.	$10,800.00	
# 2 Cattle Salesman,	12 Mo.	$10,800.00	
# 3 Solicitor,	3 Mo.	600.00	
Total Owners' Salaries			$22,200.00
Non-Owners' Salaries:			
# 4 Cattle Salesman,	12 Mo.	3,900.00	
# 5 Cattle "	12 Mo.	3,600.00	
# 6 Cattle Salesman,	12 Mo.	3,000.00	
# 7 Hog Salesman,	12 Mo.	3,900.00	
# 8 Hog Salesman,	11 Mo.	1,725.00	
# 9 Sheep Salesman,	12 Mo.	2,810.00	
Total Salesmen's		18,935.00	
#10 Yardman—General,	12 Mo.	1,800.00	
#11 " "	12 Mo.	1,800.00	
#12 " "	7 Mo.	1,025.00	
#13 " "	8 Mo. 21 D.	582.00	
#14 " "	9 Mo.	900.00	
Total Yardmen's		6,107.00	
#15 Clerk,	2 Mo.	200.00	
#16 Cashier,	12 Mo.	2,220.00	
#17 Clerk,	1 Mo.	125.00	
#18 Stenographer,	12 Mo.	1,590.00	
#19 Clerk,	10 Mo.	1,127.50	
#20 Clerk,	11 Mo.	1,575.00	
Total Office		6,837.50	
Extra Help		88.65	
Total Non-Owners' Salaries			31,968.15
Total Salaries			$54,168.15

[Vol. 713] Firm No. 43

South Omaha, Nebraska

Statement of Commissions, Year Ended December 31, 1925

Schedule 2.

Selling

Straight Cars:			
Cattle & Calves	$38,438.27		
Hogs	33,481.79		
Sheep	3,283.80		
		$75,203.86	
Mixed Cars:		6,793.67	
Drive-Ins and Truck-Ins:			
Cattle	326.35		
Calves	91.35		
Hogs	1,417.16		
Sheep	468.76		
		2,303.62	
Yard Sales:			
Cattle & Calves	1,719.00		
Hogs	272.36		
Sheep	160.20		
		2,151.56	
		86,452.71	
Less Unlocated Difference		10.83	
Total Selling Commissions			$86,441.88

Buying

Straight Cars:			
Cattle & Calves	$1,173.75		
Hogs	10.00		
Sheep	1,242.00		
		2,425.75	
Drive-Outs and Truck-Outs:			
Cattle	6.75		
Hogs	9.40		
Sheep	46.00		
		62.15	
		2,487.90	
Add Unlocated Difference		.10	
Total Buying Commissions			$2,488.00

[fol. 714]

Firm No. 43

South Omaha, Nebraska

Statement of Volume, Year Ended December 31, 1925

Schedule 3.

Selling

	Cars		
	S. D.	D.D.	Head
Straight Cars:			
Cattle & Calves	2,060	...	53,395
Hogs	1,446	560	165,159
Sheep	28	140	37,959
	3,534	700	256,513
Mixed Cars:			
Cattle & Calves	346	...	3,662
Hogs			14,818
Sheep			1,340
	346	...	19,820
Drive-Ins and Truck-Ins:			
Cattle	...	...	428
Calves	...	...	232
Hogs	...	...	5,106
Sheep	...	...	4,666
	...	...	10,432
Yard Sales:			
Cattle & Calves	...	...	4,107
Hogs	...	...	2,692
Sheep	...	...	1,286
Total Selling	3,880	700	294,850

Buying

Straight Cars:			
Cattle & Calves	78	...	2,596
Hogs	...	1	158
Sheep	23	47	14,423
	101	48	17,177
Drive-Outs and Truck-Outs:			
Cattle	...	...	9
Hogs	...	...	47
Sheep	...	...	230
			286
Total Buying	101	48	17,463

[fol. 715] Ex. 50

Auditor's Report, Year Ended December 31, 1925

Firm No. 44

South Omaha, Nebraska

Balance Sheet as at December 31, 1924

Exhibit A.

Assets

Current:			
Cash on Hand	$300.00		
Cash in Bank	3,190.76		
		$3,490.76	
Accounts Receivable		1,320.23	
Total Current Assets			$4,810.99
Fixed:			
Operating Equipment			782.82
Deferred:			
Suspense			294.83
Total Assets			$5,888.64

Liabilities and Net Worth

Current:			
Accounts Payable (Yard Co.)	$960.93		
Accounts Payable (Other)	24.61		
Total Current Liabilities			$985.54
Net Worth:			
Capital	5,000.00		
Deficit	96.90		
Net Worth		4,903.10	
Total Liabilities and Net Worth			$5,888.64

[fol. 716] Firm No. 44

South Omaha, Nebraska

Balance Sheet as at December 31, 1925

Exhibit B.

Assets

Current:			
Cash on Hand	$300.00		
Cash in Bank	1,726.69		
		$2,026.69	
Accounts Receivable		1,304.04	
Total Current Assets			$3,330.73
Fixed:			
Operating Equipment			812.42

Deferred:		
Suspense	294.83	
Total Assets		$4,437.98

Liabilities and Net Worth

Current:		
Accounts Payable (Yard Co.)	$1,344.86	
Net Worth:		
Capital	$5,000.00	
Deficit	1,906.88	
Net Worth	3,093.12	
Total Liabilities and Net Worth		$4,437.98

[fol. 717]

Firm No. 44

South Omaha, Nebraska

Profit and Loss Statement, Year Ended December 31, 1925

Exhibit C.

Income:			
Selling Commission	$26,174.15		
Buying Commission	2,538.80		
	28,712.95		
Less Errors	.28		
Gross Income		$28,712.67	
Miscellaneous Income		195.83	
Total Operating Income			$28,908.50
Expense:			
Owners' Salaries:			
Salesmen	6,000.00		
Total Owners' Salaries		6,000.00	
Non-Owners' Salaries:			
Salesmen	6,900.00		
Buyer	2,400.00		
Yardmen	2,445.25		
Office	4,200.00		
Commission paid as Salary	128.22		
Total Non-Owners' Salaries		16,073.47	
Total Salaries		22,073.47	
Travel and Entertainment	1,812.93		
Advertising	3,203.76		
Rent	840.00		
Telephone & Telegraph	260.35		

Stationery & Office Supplies	600.94	
General Postage	357.00	
Charity and Donations	92.00	
Horse and Saddle	224.20	
Insurance	309.19	
Taxes	33.10	
Bond Premiums	50.00	
Exchange Assessments & Dues	445.34	
Meals	228.49	
Errors and Adjustments	38.10	
Miscellaneous	134.17	
Total General Expense	8,629.57	
Total Operating Expense		30,703.04
Net Loss		$1,794.54

[fol. 718] Firm No. 44

South Omaha, Nebraska

Reconciliation of Net Worth, Year Ended December 31, 1925

Exhibit D.

Net Worth December 31, 1924		$4,903.10
Deduct:		
Net Loss	$1,794.54	
Federal Income Tax for 1924	15.44	
		1,809.98
Net Worth December 31, 1925		$3,093.12

[fol. 719] Firm No. 44

South Omaha, Nebraska

Statement of Salaries Year Ended December 31, 1925

Schedule 1.

Owners' Salaries:		
Salesmen:		
#1 Cattle, full time	$6,000.00	
Total Owners' Salaries		$6,000.00
Non-Owners' Salaries:		
Salesmen:		
#2 Cattle, full time	3,000.00	
#3 Hog " "	2,100.00	
#4 " " "	1,800.00	
Total Salesman Salaries		6,900.00
Buyers:		
#5 Cattle Feeder Buyer, full time	2,400.00	
Total Buyers' Salaries		2,400.00

Yardmen Salaries:

#6	Cattle Yardman,	full time	.....	1,500.00	
#7	General "	2½ Months	.....	320.25	
#8	" "	3 "	.....	325.00	
*#10	" "		.....	300.00	
	Total Yardmen Salaries		.....		2,445.25

Office:

#9	Full time	.....	3,000.00	
*#10	" "	.....	1,200.00	
	Total Office Salaries	.....		4,200.00

Commission Paid as Salary:

½ Commission for Selling Sheep	.....	128.22
Total Salaries	.....	$22,073.47

[fol. 720]

Firm No. 44

South Omaha, Nebraska

Statement of Commissions Year Ended December 31, 1925

Schedule 2.

Selling

Straight Cars:

Cattle & Calves	.....	$16,492.77	
Hogs	.....	3,799.03	
Sheep	.....	196.80	
			$20,488.60
Mixed Cars	.....		2,433.28

Truck-Ins and Drive-Ins:

Cattle	.....	656.00	
Calves	.....	71.20	
Hogs	.....	1,650.12	
Sheep	.....	37.30	
			2,414.62

Dealer and Speculators:

Cattle & Calves	.....	914.72	
Hogs	.....	100.68	
			1,015.40
(x) Total Selling	.....		$26,351.90

*Divided—80% Office, 20% Yard—General.

Buying

Straight Cars:		
Cattle & Calves		2,282.50
Drive-Outs and Truck-Outs:		
Cattle	69.75	
Calves	8.80	
		78.55
(x)(x) Total Buying		$2,361.05
(x) P. L. Total	$26,174.15	
Transferred from P. L.:		
Buying	177.75	
Corrected Selling Commissions		$26,351.90
(x)(x) P. L. Total	$2,538.80	
Transferred to P. L.:		
Selling	177.75	
Corrected Buying Commissions		$2,361.05

[fol. 721]

Firm No. 44

South Omaha, Nebraska

Statement of Volume Year Ended December 31, 1925

Schedule 3.

Selling

	No. Cars S. D.	No. Cars D. D.	No. Head
Straight Cars:			
Cattle & Calves	881	...	22,429
Hogs	254	2	18,121
Sheep	12	5	2,703
	1,147	7	43,253
Mixed Cars:			
Cattle & Calves, Hogs, Sheep	134	...	1,619 / 4,807 / 47
	134	...	6,473
Drive-Ins and Truck-Ins:			
Cattle	...	...	850
Calves	...	...	177
Hogs	...	...	5,948
Sheep	...	...	185
	...	...	7,160

Dealer and Speculator:	No. Cars S. D.	No. Cars D. D.	No. Head
Cattle & Calves	...	...	2,175
Hogs	...	...	1,000
	...	...	3,175
Total Selling	1,281	7	60,061
Buying			
Straight Cars:			
Cattle & Calves	146	...	4,826
Drive-Outs and Truck-Outs:			
Cattle	...	...	98
Calves	...	...	22
Total Buying	146	...	4,946

[fol. 722]

Ex. 51

Auditor's Report Year Ended December 31, 1925

Firm No. 45

South Omaha, Nebraska

Balance Sheet as at December 31, 1924

Exhibit A.

Assets			
Current:			
Cash in Bank	$1,000.00		
Total Current Assets		$1,000.00	
Fixed:			
Membership	2,250.00		
Office & Operating Equipment	477.43		
Total Fixed Assets		2,727.43	
Goodwill		4,272.57	
Total Assets			$8,000.00
Liabilities and Net Worth			
Current:			
Notes Payable	$7,000.00		
Total Current Liabilities		$7,000.00	
Net Worth:			
Capital		1,000.00	
Total Liabilities and Net Worth			$8,000.00

[fol. 723]

Firm No. 45

South Omaha, Nebraska

Balance Sheet as at December 31, 1925

December 31, 1925 — Exhibit B.

Assets

Current:			
Cash in Bank	$420.15		
Accounts Receivable (Other)	194.24		
Total Current Assets		$614.39	
Fixed:			
Memberships	2,250.00		
Office & Operating Equipment	759.40		
Total Fixed Assets		3,009.40	
Goodwill		4,272.57	
Total Assets			$7,896.36

Liabilities and Net Worth

Current:			
Accounts Payable:			
Yard Co.	$340.71		
Other	295.73	$636.44	
Notes Payable		2,000.00	$2,636.44
Net Worth:			
Capital		8,000.00	
Deficit		2,740.08	
Total Net Worth			5,259.92
Total Liabilities and Net Worth			$7,896.36

[fol. 724]

Firm No. 45

South Omaha, Nebraska

Profit and Loss Statement Year Ended December 31, 1925

Exhibit C.

Income:		
Selling Commissions	$13,733.44	
Buying Commissions	1,048.30	$14,781.74
Operating Income		14,781.74
Less: Errors & Adjustments		.20
Total Operating Income		14,781.54

Expense:			
Owners' Salaries:			
Salesmen		3,333.00	
Non-Owners' Salaries:			
Salesmen	$4,630.00		
Yardmen	2,706.00		
Office	2,062.25		
Extra Help	148.75		
Com. Paid as Salary	789.48		
		10,336.48	
Total Salaries		$13,669.48	
Travel & Entertainment	620.61		
Advertising	2,133.70		
Rent	330.00		
Telephone & Telegraph	314.76		
Stationery & Office Expense	384.41		
General Postage	53.00		
Charity	10.00		
Horse & Saddle	135.15		
Insurance	225.04		
Taxes	8.20		
Bond Premium	5.00		
Exchange Assessments & Dues	186.88		
Auditing	15.00		
Meals	17.15		
Miscellaneous	287.81		
		4,725.71	
Net Operating Expense			18,395.19
Net Operating Loss			3,613.65
Other Income:			
Miscellaneous			6.33
			3,607.32
Other Deductions:			
Interest Paid		229.50	
Uncollectible Accounts		76.29	
			305.79
Net Loss			$3,913.11

[fol. 725] Firm No. 45

South Omaha, Nebraska

Reconciliation of Net Worth, Year Ended December 31, 1925

Exhibit D.

Net Worth, December 31 ,1924		$1,000.00
Additions:		
Undrawn Salary	$1,173.03	
Additional Investment	7,000.00	
		8,173.03
Total		9,173.03
Deductions:		
Net Loss		3,913.11
Net Worth as of December 31, 1925		$5,259.92

[fol. 726] Firm No. 45

South Omaha, Nebraska

Statement of Salaries, Year Ended December 31, 1925

Schedule 1.

Owner Salaries:				
# 1 Hog Salesman	8 Mo.			$3,333.00
Non-Owner Salaries:				
# 2 Cattle Salesman	2 Mo.	$600.00		
# 3 Cattle Salesman	10 Mo.	3,000.00		
# 4 Hog Salesman	3 Mo.	577.00		
# 5 Hog Salesman	2 Mo.	453.00		
Total Salesmen			$4,630.00	
# 6 Cattle Yard	1 Mo.	64.60		
# 7 Cattle Yard	2 Mo.	235.40		
# 8 Cattle Yard	10 Mo.	1,646.00		
# 9 Cattle Yard	3 Mo.	550.00		
#10 Hog Yard	2 Mo.	210.00		
Total Yardmen			2,706.00	
#11 Office	2 Mo.	322.25		
#12 Office	2 Mo.	240.00		
#13 Office	8 Mo.	1,500.00		
Total Office			2,062.25	
#14 Extra Help, Cattle Yard		7.00		
#15 Extra Office		141.75		
Total Extra			148.75	

Commissions Paid as Salary:			
#16 Hog Sales	183.90		
#17 Hog Sales	359.15		
#18 Hog Sales	242.73		
#19 Sheep Sales	3.70		
Total Com. Paid as Salary		789.48	
Total Non-Owner Salaries			10,336.48
Total Salaries			$13,669.48

[fol. 727] Firm No. 45

South Omaha, Nebraska

Statement of Commissions Year Ended December 31, 1925

Schedule 2.

Selling

Straight Cars:			
Cattle & Calves	$7,948.84		
Hogs	2,062.51		
Sheep	76.45		
		$10,087.80	
Mixed Cars		713.25	
Drive-Ins and Truck-Ins:			
Cattle	513.65		
Calves	99.20		
Hogs	506.42		
Sheep	44.15		
		1,163.42	
Speculator—Yard Sales:			
Cattle & Calves	1,715.00		
Hogs	20.86		
		1,735.86	
Unlocated Difference		33.11	
Total Selling			$13,733.44

Buying

Straight Cars:			
Cattle & Calves	821.25		
Hogs	10.00		
Sheep	142.00		
		973.25	
Drive-Outs and Truck-Outs:			
Cattle		55.45	
Speculator—Yard Purchases:			
Cattle & Calves		19.60	
Total Buying			$1,048.30

[fol. 728] Firm No. 45

South Omaha, Nebraska

Statement of Volume Year Ended December 31, 1925

Schedule 3.

Selling

	Cars		
	S. D.	D. D.	Head
Straight Cars:			
Cattle & Calves	449	...	11,300
Hogs	142	...	10,673
Sheep	4	...	646
	595	...	22,619
Mixed Cars:			
Cattle & Calves Hogs Sheep	48	...	567 1,892 333
	48	...	2,792
Drive-Ins and Truck-Ins:			
Cattle	...	...	649
Calves	...	...	248
Hogs	...	...	1,810
Sheep	...	...	218
	...	...	2,925
Speculator—Yard Sales:			
Cattle & Calves	...	...	4,049
Hogs	...	...	135
	...	...	4,184
Total Selling	643	...	32,520

Buying

Straight Cars:			
Cattle & Calves	53	...	1,476
Hogs	1	...	79
Sheep	3	5	1,214
	57	5	2,769
Drive-Outs & Truck-Outs:			
Cattle	...	...	77
Speculator—Yard Purchases:			
Cattle & Calves	...	...	40
Total Buying	57	5	2,886

[fol. 729] Ex. 52

Auditor's Report Year Ended December 31, 1925

Firm No. 46

South Omaha, Nebraska

Balance Sheet as at December 31, 1924

Exhibit A.

Assets

Current:			
Cash in Bank	$33,106.69		
Proceeds Receivable	1,271.44		
Accounts Receivable	9,406.74		
Other Stocks, Bonds & Investments.	1,000.00		
Total Current Assets		$44,784.87	
Fixed:			
Memberships	2,290.00		
Office & Operating Equipment	784.00		
Total Fixed Assets		3,074.00	
Total Assets			$47,858.87

Liabilities and Net Worth

Current:			
Accounts Payable (Yard Co.)		$10.41	
Net Worth:			
Capital		47,848.46	
Total Liabilities and Net Worth			$47,858.87

[fol. 730] Firm No. 46

South Omaha, Nebraska

Balance Sheet as at December 31, 1925

Exhibit B.

Assets

Current:			
Cash in Bank	$22,735.76		
Proceeds Receivable	373.55		
Accounts Receivable	142.26		
Notes Receivable	16,000.00		
Total Current Assets		$39,251.57	
Fixed:			
Office & Operating Equipment		732.75	
Total Assets			$39,984.32

Liabilities and Net Worth

Current:			
Accrued Liabilities		$211.48	
Net Worth:			
Capital Stock	$40,000.00		
Less Deficit	227.16		
Total Net Worth		39,772.84	
Total Liabilities and Net Worth			$39,984.32

[fol. 731] Firm No. 46

South Omaha, Nebraska

Profit and Loss Statement Year Ended December 31, 1925

Exhibit C.

Income:			
Selling Commission		$50,893.43	
Buying Commission		5,555.70	
Total Operating Income			$56,449.13
Expenses:			
Owners' Salaries:			
Salesmen & Buyer....	$4,416.66		
Office	400.00		
Non-Active	8,949.99		
	$13,766.65		
Non-Owners' Salaries:			
Salesmen	14,845.00		
Order Buyers	4,683.33		
Yardmen	3,375.00		
Office	6,723.25		
Extra Help	63.00		
Com. paid as salary..	1,487.93		
	31,177.51		
Total Salaries		44,944.16	
Travel & Entertainment	954.20		
Advertising	5,577.96		
Rent	1,080.00		
Telephone & Telegraph	898.66		
Stationery & Office Expense	900.67		
General Postage	173.18		
Charity & Donations	475.40		
Horse & Saddle	460.75		
Taxes	181.62		
Bond Premiums	91.00		
Exchange Assessment & Dues	724.10		
Errors & Adjustments	242.19		
Miscellaneous	304.96		
		12,084.69	
Total Operating Expenses			57,028.85
Net Operating Loss			579.72

Other Income:	
Freights	5.07
Total	574.65
Deductions from Income	89.47
Net Loss	$664.12

[fol. 732] Firm No. 46

South Omaha, Nebraska

Reconciliation of Net Worth Year Ended December 31, 1925

Exhibit D.

Net Worth, December 31, 1924		$47,848.46
Additions:		
Other		61,155.95
Total		109,004.41
Deductions:		
Net Loss	$664.12	
Other	68,567.45	
		69,231.57
Net Worth, December 31, 1925		$39,772.84

[fol. 733] Firm No. 46

South Omaha, Nebraska

Statement of Salaries, Year Ended December 31, 1925

Schedule 1.

Owners' Salaries:				
# 1 Cattle Salesman,	9 Mos.....	$3,600.00		
# 2 " "	1 "	500.00		
# 3 Order Buyer,	1 "	316.66		
Total Salesmen & Buyers			$4,416.66	
# 4 Office,	1 Mo.....		400.00	
# 5 Non-Active,	Full time..	4,974.99		
# 6 " "	9 Mos.....	3,600.00		
# 7 " "	1 "	375.00		
Total Non-Active			8,949.99	
Total Owners' Salaries				$13,766.65
Non-Owners' Salaries:				
# 8 Hog Salesman,	Full time..	4,200.00		
# 9 " "	" " ..	1,920.00		
#10 Cattle "	11 Mos.....	5,425.00		
#11 " "	Full time..	3,300.00		
Total Salesmen			14,845.00	

$12 Cattle Order Buyer,	11 Mos.....	2,883.33		
$13 " " "	Full time..	1,800.00		
Total Order Buyers.....			4,683.33	
$14 Cattle Yardman,	3 Mos.....	375.00		
$15 " "	Full time..	1,500.00		
$16 Hog "	" " ..	1,500.00		
Total Yardmen.....			3,375.00	
*$17 Office,	Full time...	1,680.00		
$18 "	4 Mos.....	468.75		
$19 "	11 "	3,737.50		
$20 "	8 "	837.00		
Total Office			6,723.25	
Extra Help			63.00	
Commission Paid as Salaries.....			1,487.93	
Total Non-Owners' Salaries.....				31,177.51
Total Salaries				$44,944.16

[fol. 734] Firm No. 46

South Omaha, Nebraska

Statement of Commissions, Year Ended December 31, 1925

Schedule 2.

Selling

Straight Cars:			
Cattle and Calves.....	$23,696.44		
Hogs	8,673.95		
Sheep	1,563.90		
		$33,934.29	
Mixed Cars		7,831.36	
Drive-Ins:			
Cattle	2,152.76		
Calves	490.20		
Hogs	4,754.02		
Sheep	251.99		
		7,648.97	
Dealer and Speculator Sales:			
Cattle & Calves.....	1,418.55		
Hogs	6.86		
Sheep	53.40		
		1,478.81	
Total Selling Commissions.....			$50,893.43

Buying

Straight Cars:			
Cattle & Calves.....	4,368.10		
Sheep	948.00		
		5,316.10	

*Office 75%—Cattle Yardman 25%.

Drive-Outs:			
Cattle	180.20		
Calves	1.20		
Sheep	58.20		
		239.60	
Total Buying Commissions			5,555.70
Total Commissions			$56,449.13

[fol. 735] **Firm No. 46**

South Omaha, Nebraska

Statement of Volume, Year Ended December 31, 1925

Schedule 3.

	Selling		
	No. Cars		
	D. D.	S. D.	No. Head
Straight Cars:			
Cattle and Calves	..	1,297	32,392
Hogs	4	592	41,587
Sheep	61	24	16,090
Total	65	1,913	90,069
Mixed Cars:			
Cattle and Calves	..	423	5,090
Hogs			15,626
Sheep			631
Total	..	423	21,347
Drive-Ins:			
Cattle	..	...	2,726
Calves	..	...	1,228
Hogs	..	...	17,170
Sheep	..	...	1,654
Total	..	...	22,778
Dealer and Speculator Sales:			
Cattle and Calves	..	...	3,506
Hogs	..	...	35
Sheep	..	...	835
Total	..	...	4,376
Total Selling	65	2,336	138,570
	Buying		
Straight Cars:			
Cattle and Calves	..	285	9,911
Sheep	46	2	13,875
Total	46	287	23,786

	No. Cars D. D.	No. Cars S. D.	No. Head
Drive-Out Purchases:			
Cattle	..	...	262
Calves	..	...	6
Sheep	..	...	291
Total	..	...	559
Total Buying	46	287	24,345
Total Volume	111	2,623	162,915

[fol. 736] Ex. 53

Auditor's Report, Year Ended December 31, 1925

Firm No. 47

South Omaha, Nebraska

Balance Sheet as at December 31, 1924

Exhibit A.

Assets			
Current:			
Cash on Hand	$550.00		
Cash in Bank, Gen. Acct.	2,728.79		
		$3,278.79	
Total Current Assets			$3,278.79
Fixed:			
Memberships		3,000.00	
Office & Operating Equipment		1,453.07	
Total Fixed Assets			4,453.07
Goodwill			15,000.00
Deferred:			
Organization Expense		63.60	
Horse Expense		159.22	
			222.82
Total Assets			$22,954.68
Liabilities and Net Worth			
Current:			
Bank Overdraft—Proceeds Acct.		$3.36	
Total Current Liabilities			3.36

Net Worth:

Capital Stock	10,000.00	
Surplus	12,951.32	
Total Net Worth		22,951.32
Total Liabilities and Net Worth		$22,954.68

[fol. 737] Firm No. 47

South Omaha, Nebraska

Balance Sheet as at December 31, 1925

Exhibit B.

Assets

Current:

Cash on Hand	$550.00	
Cash in Bank	850.81	
	$1,400.81	
Total Current Assets		$1,400.81

Fixed:

Membership	3,000.00	
Office & Operating Equipment	1,453.07	
Total Fixed Assets		4,453.07
Goodwill		15,000.00
Total Assets		$20,853.88

Liabilities and Net Worth

Net Worth:

Capital Stock	$10,000.00	
Surplus	10,853.88	
Total Net Worth		$20,853.88

[fol. 738] Firm No. 47

South Omaha, Nebraska

Profit and Loss Statement, Year Ended December 31, 1925

Exhibit C.

Income:

Selling Commissions	$16,091.98	
Buying Commissions	381.80	
Total Operating Income		$16,473.78

Expenses:

Owners' Salaries:

Salesman	$2,750.00	
Total Owners' Salaries		2,750.00

Non-Owners' Salaries:			
Salesman	4,555.00		
Yardman	665.00		
Office	1,080.00		
Com. Paid As Salary	1,917.61		
Total Non-Owners' Salaries		8,217.61	
Total Salaries		10,967.61	
Travel & Entertainment	1,131.69		
Advertising	3,602.96		
Rent	390.00		
Telephone & Telegraph	260.21		
Office Supplies	79.79		
Charity & Donations	97.00		
Horse & Saddle	167.28		
Insurance	345.96		
Taxes	166.62		
Bond Premium	50.00		
Exchange Assessments & Dues	209.10		
Meals	125.38		
Miscellaneous	72.54		
		6,698.53	
Total Operating Expense			17,666.14
Net Operating Loss			1,192.36
Other Income:			
Miscellaneous			27.81
Total			1,164.55
Other Deductions:			
Interest Paid			526.47
Net Loss			$1,691.02

[fol. 739]

Firm No. 47

South Omaha, Nebraska

Reconciliation of Net Worth, Year Ended December 31, 1925

Exhibit D.

Net Worth, December 31, 1924			$22,951.32
Deductions:			
Net Loss	$1,691.02		
Miscellaneous	231.42		
Withdrawal	175.00		
			2,097.44
Net Worth, December 31, 1925			$20,853.88

[fol. 740] Firm No. 47

South Omaha, Nebraska

Statement of Salaries Year Ended December 31, 1925

Schedule 1.

Owners' Salaries:			
#1 Hog Salesman	12 Mo.		$2,750.00
Non-Owners' Salaries:			
#2 Cattle Salesman	12 Mo.	$2,700.00	
#3 Cattle Salesman	12 Mo.	1,855.00	
Non-Owner Salesmen		4,555.00	
#4 Hog Yardman	12 Mo.	665.00	
#5 Office	12 Mo.	1,080.00	
#6 Commissions Paid as Salary:			
Sheep		$80.72	
Hogs		1,836.89	
		1,917.61	
Total Non-Owners' Salaries			8,217.61
Total Salaries			$10,967.61

[fol. 741] Firm No. 47

South Omaha, Nebraska

Statement of Commissions Year Ended December 31, 1925

Schedule 2.

	Selling		
Straight Cars:			
Cattle & Calves	$6,388.56		
Hogs	6,106.93		
Sheep	32.85		
		$12,528.34	
Mixed Cars		1,952.61	
Drive-Ins and Truck-Ins:			
Cattle	202.09		
Calves	55.75		
Hogs	834.14		
Sheep	77.08		
		1,169.06	
Speculator—Yard Sales:			
Cattle & Calves	299.40		
Hogs	150.97		
		450.37	
Total		16,100.38	
Less Unlocated Difference		8.40	
Total Selling			$16,091.98

Buying

Straight Cars:		
Cattle & Calves	$345.00	
Drive-Outs and Truck-Outs:		
Cattle	36.80	
Total Buying		$381.80

[fol. 742] **Firm No. 47**

South Omaha, Nebraska

Statement of Volume Year Ended December 31, 1925

Schedule 3.

Selling

	Cars S. D.	Cars D. D.	Head
Straight Cars:			
Cattle & Calves	341	...	8,869
Hogs	423	...	29,085
Sheep	2	...	208
	766	...	38,162
Mixed Cars:			
Cattle & Calves	106	...	974
Hogs			4,936
Sheep			201
	106	...	6,111
Drive-Ins and Truck-Ins:			
Cattle	...	...	256
Calves	...	...	139
Hogs	...	...	2,975
Sheep	...	...	381
	...	...	3,751
Speculator—Yard Sales:			
Cattle & Calves	...	...	767
Hogs	...	...	1,267
	...	...	2,034
Total Selling	872	...	50,058

Buying

Straight Cars:			
Cattle & Calves	22	...	724
Drive-Outs and Truck-Outs:			
Cattle	...	...	56
Total Buying	22	...	780

[fol. 743] Ex. 54

Auditor's Report Year Ended December 31, 1925

Firm No. 48

South Omaha, Nebraska

Balance Sheet as at December 31, 1924

Exhibit A.

Assets

Current:			
Cash on Hand	$600.00		
Cash in Bank	20,777.79		
		$21,377.79	
Checks in Transit		274.86	
Accts. Receivable, Sundry		3,136.26	
Notes Receivable		21,679.45	
Total Current Assets			$46,468.36
Fixed:			
Memberships Exchange		4,000.00	
Furniture & Fixtures		926.00	
Total Fixed Assets			4,926.00
Total Assets			$51,394.36

Liabilities and Net Worth

Current:			
Accounts Payable Estate (Bal.)			$282.16
Reserve:			
Reserve for taxes			1,074.35
Net Worth:			
Capital Stock		30,000.00	
Surplus		2,500.00	
Undivided Profits		17,537.85	
Total Net Worth			$50,037.85
Total Liabilities and Net Worth			$51,394.36

[fol. 744] Firm No. 48

South Omaha, Nebraska

Balance Sheet as at December 31, 1925

Exhibit B.

Assets

Current:			
Cash on Hand	$600.00		
Cash in Gen'l Bank Acct.	10,526.33		
Cash in Proceeds Acct.	7,522.85		
		$18,649.18	
Accounts Receivable—Other		3,838.53	
Notes Receivable		19,839.00	
Total Current Assets			$42,326.71

Fixed:			
Memberships		4,000.00	
Furniture & Fixtures....	1,024.00		
Less Depreciation 1925..	153.60		
		870.40	
Total Fixed Assets			4,870.40
Total Assets			$47,197.11

Liabilities and Net Worth

Current:			
Accounts Payable, Yard Co.		$4,667.31	
Proceeds Held a/c Brands		2,855.54	
Total Current Liabilities			$7,522.85
Reserve:			
Reserve for Taxes			1,236.95
Net Worth:			
Capital Stock		30,000.00	
Undivided Profits		4,437.31	
Surplus		4,000.00	
Total Net Worth			38,437.31
Total Liabilities and Net Worth			$47,197.11

[fol. 745] Firm No. 48

South Omaha, Nebraska

Profit and Loss Statement Year Ended December 31, 1925

Exhibit C.

Income:			
Commissions—Selling		$87,577.66	
Buying		3,725.85	
Total Operating Income			$91,303.51
Expenses:			
Salaries:			
Owners:			
Salesmen & Buyer...	$30,900.00		
Office	12,300.00		
		$43,200.00	
Non-Owner:			
Salesmen	$5,400.00		
Order Buyer	1,950.00		
Yardmen	6,580.00		
Office	6,000.00		
Extra Yard Help	656.00		
		20,586.00	
Total Salaries		$63,786.00	

Bonuses Paid	190.00		
Travel	1,446.35		
Advertising	11,930.10		
Rental	1,020.00		
Telephone & Telegraph	854.24		
Stationery & Office	1,984.61		
General Postage	1,109.75		
Charity & Donations	693.90		
Horse & Saddle	402.17		
Insurance	776.59		
Taxes	174.05		
Bond Premium	96.00		
Exchange Assessments	1,068.90		
Legal	300.00		
Meals, Employees	211.75		
Depreciation	153.60		
Errors & Adjustments	84.63		
Miscl. Expense	904.13		
Total Other Expense		$23,400.77	
Total Operating Expense			$87,186.77
Net Operating Profit			4,116.74
Other Income:			
Interest from Loans			571.55
Total			4,688.29
Other Deductions:			
Contribution to janitors	60.00		
Life Insurance Premium	48.08		
		108.08	
Net Gain			$4,580.21

[fol. 746] Firm No. 48

South Omaha, Nebraska

Reconciliation of Net Worth, Year Ended December 31, 1925

Exhibit D.

Net Worth as of December 31, 1925		$50,037.85
Additions:		
Net Gain		4,580.21
Total		54,618.06
Deductions:		
Shippers Security Co.	$6,000.00	
Dividends declared 25%	7,500.00	
Reserve for Taxes	2,537.85	
Compensation Insurance August 1924	142.90	
Total Deductions		16,180.75
Net Worth as of December 31, 1925		$38,437.31

[fol. 747] Firm No. 48

South Omaha, Nebraska

Statement of Salaries for Year Ended December 31, 1925

Schedule 1.

Owners:				
# 1 Steer Salesman,	12 Mos.	$7,200.00		
# 2 Cow "	12 "	7,200.00		
# 3 Hog "	12 "	6,600.00		
# 4 Sheep "	12 "	6,600.00		
# 5 Feeder Buyer,	12 "	3,300.00		
Total Salesmen & Buyers			$30,900.00	
# 6 Manager,	12 Mos.	7,200.00		
# 7 Cashier,	12 "	5,100.00		
Total Office			12,300.00	
Total Owner Salaries				$43,200.00
Non-Owners:				
# 8 Calf Salesman,	12 Mos.	3,000.00		
# 9 Hog Salesman,	12 "	2,400.00		
Total Salesmen			5,400.00	
#10 Feeder Buyer,	12 Mos.		1,950.00	
#11 Cattle Yardman,	12 "	1,800.00		
#12 " "	12 "	1,620.00		
#13 Sheep "	12 "	1,620.00		
#14 Hog "	12 "	1,540.00		
Total Yardmen			6,580.00	
#15 Bookkeeper,	12 Mos.	2,400.00		
#16 Asst. Bookkeeper,	12 "	1,800.00		
#17 Steno.	12 "	1,800.00		
Total Office			6,000.00	
Extra Cattle Yardman, 12 Mos.			656.00	
Total Non-Owner Salaries				20,586.00
Total Salaries				$63,786.00

[fol. 748] Firm No. 48

South Omaha, Nebraska

Statement of Commissions, Year Ended December 31, 1925

Schedule 2.

	Selling	
Straight Cars:		
Cattle & Calves	$35,884.44	
Hogs	11,175.00	
Sheep	20,020.20	
		$67,079.64
Mixed Cars:		3,954.20

Drive-ins and Truck-Ins:

Cattle	2,252.64		
Calves	503.73		
Hogs	7,787.13		
Sheep	345.10		
		10,888.60	
Speculator—Yard Sales:			
Cattle & Calves	4,736.80		
Hogs	52.92		
Sheep	865.50		
		5,655.22	
Total Selling Commissions			$87,577.66

Buying

Straight Cars:

Cattle & Calves	$3,424.10		
Sheep	48.00		
		3,472.10	
Drive-Outs and Truck-Outs:			
Cattle	56.25		
Calves	36.60		
Hogs	3.40		
		96.25	
Speculator—Yard Purchases:			
Cattle		157.50	
Total Buying Commissions			$3,725.85

[fol. 749]

Firm No. 48

South Omaha, Nebraska

Statement of Volume, Year Ended December 31, 1925

Schedule 3.

Selling

	No. Cars		
Straight Cars:	S. D.	D.D.	No. Head
Cattle & Calves	1,891	...	49,335
Hogs	770	1	53,903
Sheep	19	983	254,062
	2,680	894	357,300
Mixed Cars:			
Cattle & Calves, Hogs, Sheep	213	...	2,536 7,906 383
	213	...	10,825

	No. Cars		
	S. D.	D.D.	No. Head
Drive-Ins and Truck-Ins:			
Cattle	...	...	2,816
Calves	...	...	1,257
Hogs	...	...	27,856
Sheep	...	...	1,738
	...	...	33,667
Speculator Yard Sales:			
Cattle & Calves	...	...	11,593
Straight Cars:			
Hogs	...	...	590
Sheep	...	...	11,180
			23,363
Total Selling	2,893	984	425,155
Buying			
Straight Cars:			
Cattle & Calves	221	...	7,522
Sheep	2	1	690
	223	1	8,212
Drive-Outs and Truck-Outs:			
Cattle	...	...	78
Calves	...	...	104
Hogs	...	...	17
	...	...	199
Speculator—Yard Purchases:			
Cattle & Calves	...	...	248
Total Buying	223	1	8,659

[fol. 750]

Ex. 55

Auditor's Report, Year Ended December 31, 1925

Firm No. 49

South Omaha, Nebraska

Balance Sheet as at December 31, 1924

Exhibit A.

Assets

Current:		
Cash in Bank—Proceeds Acct.	$11,562.70	
Proceeds Receivable	265.45	
Total Current Assets		$11,828.15

Fixed:			
Memberships	4,000.00		
Furniture & Fixtures	500.00		
Total Fixed Assets		4,500.00	
Goodwill		500.00	
Total Assets			$16,828.15
	Liabilities and Net Worth		
Current:			
Accounts Payable (other)		398.73	
Net Worth:			
Capital		16,429.42	
Total Liabilities & Net Worth			$16,828.15

[fol. 751]

Firm No. 49

South Omaha, Nebraska

Balance Sheet as at December 31, 1925

Exhibit B.

	Assets		
Current:			
Cash in Bank—Proceeds Acct.	$11,825.64		
Proceeds Receivable	26.95		
Total Current Assets		$11,852.59	
Fixed:			
Memberships	2,000.00		
Furniture & Fixtures	450.00		
Total Fixed Assets		2,450.00	
Goodwill		500.00	
Total Assets			$14,802.59
	Liabilities and Net Worth		
Current:			
Accounts Payable—Yard Co.		15.55	
Accounts Payable—Other		306.33	
Net Worth:			
Capital	17,074.51		
Loss for year 1925		14,480.71	
Total Liabilities and Net Worth			$14,802.59

[fol. 752] Firm No. 49

South Omaha, Nebraska

Profit and Loss Statement, Year Ended December 31, 1925

Exhibit C.

Income:			
Selling Commissions		$4,961.25	
Buying Commissions		1,096.20	
Outside Commissions		2,018.95	
Gross Income			$8,076.40
Expenses:			
Owners' Salaries:			
Sheep Salesman	$3,600.00		
Sheep Salesman	2,700.00		
Total Owners' Salaries		6,300.00	
Non-Owners' Salaries:			
Office	810.00		
Yardman, sheep	1,200.00		
Extra Help	43.00		
Total Non-Owners' Salaries		2,053.00	
Total Salaries		8,353.00	
Bonuses Paid	415.00		
Split Commissions Paid	14.00		
Advertising	319.43		
Traveling Expenses	167.22		
Stationery & Office Expense	197.41		
Rent	390.00		
Bond Premiums	35.00		
Exchange Assessments & Dues	113.60		
Charity & Donations	15.00		
General Postage	65.00		
Telephone & Telegraph	184.56		
Meals	241.75		
Liability Insurance	113.20		
Taxes	14.48		
Miscellaneous Expense	31.55		
		2,317.20	
Total Operating Expense			10,670.20
Net Loss			2,593.80

[fol. 753] Firm No. 49

South Omaha, Nebraska

Reconciliation of Net Worth Year Ended December 31, 1925

Exhibit D.

Net Worth, December 31, 1924		$16,429.42
Additions:		
Additional Investments	$4,500.00	
Undrawn Salaries	6,300.00	
Total additions to Net Worth		10,800.00
		27,229.42
Deducations:		
Withdrawals	7,950.00	
Net Loss	2,593.80	
Withdrawal of partner	204.91	
Membership withdrawn	2,000.00	
		12,748.71
Net Worth, December 31, 1925		$14,480.71

[fol. 754] Firm No. 49

South Omaha, Nebraska

Statement of Salaries for Year Ended December 31, 1925

Schedule 1.

	Mos.		
Owners' Salaries:			
#1 Partner, sheep salesman	12		$3,600.00
#2 Partner, sheep salesman	9		2,700.00
Total Owners' Salaries			$6,300.00
Non-Owners' Salaries:			
#3 Office	9		810.00
#4 Yardman, sheep	12		1,200.00
Extra Help, Yard			43.00
			2,053.00
Total Salaries			$8,353.00

[fol. 755] Firm No. 49

South Omaha, Nebraska

Statement of Commissions Year Ended December 31, 1925

Schedule 2.

Selling

Straight Cars:			
Hogs		$28.00	
Sheep		4,650.65	$4,678.65
Drive-Ins and Truck-Ins:			
Sheep			219.00
Dealers and Speculators:			
Sheep			63.60
Total Selling Commissions			$4,961.25

Buying

Straight Cars:			
Sheep			982.00
Drive-Outs and Truck-Outs:			
Sheep			114.20
Total Buying Commissions			$1,096.20

[fol. 756] Firm No. 49

South Omaha, Nebraska

Statement of Volume Year Ended December 31, 1925

Schedule 3

Selling

	No. Cars		
	S. D.	D. D.	No. Head
Straight Cars:			
Hogs	2	....	177
Sheep	62	197	55,141
	64	197	55,318
Drive-Ins and Truck-Ins:			
Sheep	.....	....	2,075
Dealers and Speculators:			
Sheep	.....	....	1,158
Total Selling	64	197	58,551

	Selling		
Straight Cars:			
Sheep	3	47	15,343
Drive-Outs and Truck-Outs:			
Sheep	.....	....	1,401
	3	47	16,744

[fol. 757]

Ex. 56

Auditor's Report Year Ended December 31, 1925

Firm No. 50

South Omaha, Nebraska

Balance Sheet as at June 3, 1925

Exhibit A

	Assets	
Current:		
Cash in Bank	$2,400.00	
Total Assets		$2,400.00
	Net Worth	
Net Worth:		
Capital	$2,400.00	
Total Net Worth		$2,400.00

[fol. 758]

Firm No. 50

South Omaha, Nebraska

Balance Sheet as at December 31, 1925

Exhibit B

	Assets		
Current:			
Proceeds Bank Account	$588.70		
General Bank Account	112.15		
		$700.85	
Proceeds Receivable		2.00	
Accounts Receivable		1.17	
Total Current Assets			$704.02
Fixed:			
Office & Operating Equipment		357.50	
Total Fixed Assets			357.50
Total Assets			$1,061.52

Liabilities and Net Worth

Current:		
Accounts Payable—Yard Co	$637.74	
" " —Others	45.29	
	$683.03	
Estray Accounts	29.75	
Total Current Liabilities		712.78
Net Worth:		
Capital of partners		348.74
Total Liabilities and Net Worth		$1,061.52

[fol. 759] **Firm No. 50**

South Omaha, Nebraska

Reconciliation of Net Worth for Period June 3, 1925 to December 31, 1925

Income:			
Selling Commissions	$5,814.96		
Buying Commissions	242.00		
		$6,056.96	
Split Commissions		4.62	
		6,061.58	
Less Deductions		5.20	
			$6,056.38
Expenses:			
Owners' Salaries:			
Salesmen	1,825.00		
Non-Owners' Salaries:			
Salesmen	1,000.00		
Yardmen	1,492.50		
Solicitor	375.00		
Office	105.00		
Extra Help	37.50		
Total Salaries		4,835.00	
Split Commissions Paid		36.00	
Travel and Entertainment		923.04	
Advertising		680.86	
Rent		297.50	
Telephone and Telegraph		262.29	
Stationery & Office Expense		396.24	
Insurance		56.50	
Exchange Assessment and Dues		50.36	
Bond		35.00	
Horse and Saddle		24.00	
Errors and Adjustments		.08	
Miscellaneous		81.40	
Net Operating Expenses			7,678.22
Net Operating Loss			1,621.84

Other Deductions:

Interest	2.20	
Cattle Loss	2.24	
		4.44
Net Loss		$1,626.28

[fol. 760] Firm No. 50

South Omaha, Nebraska

Reconciliation of Net Worth for Period June 3, 1925 to December 31, 1925

Exhibit D

Investment		$2,400.00
Deduct:		
Loss 1925	$1,200.15	
" 1925	426.13	
" Collection Account	9.90	
" Estray Account	11.81	
" Accounts Receivable	56.38	
Drawings	346.80	
		2,051.26
Net Worth December 31, 1925		348.74

[fol. 761] Firm No. 50

South Omaha, Nebraska

Statement of Salaries for Period June 3, 1925, to December 31, 1925

Schedule 1.

Owners' Salaries:	Mos.			
#1. Cattle Salesman	6		$1,425.00	
#2. Hog Salesman	2		400.00	
Total Owners' Salaries				$1,825.00
Non-Owners' Salaries:				
#3. Hog Salesman	5	$1,000.00		
Total Salesmen			1,000.00	
#4. Cattle Yardman	8½	937.50		
#5. Hog "	6	555.00		
Total Yardmen			1,492.50	
#6. Solicitor	2	375.00		
Total Solicitors			375.00	
#7. Office—Bookkeeper	1		105.00	
Extra Help			37.50	
Total Non-Owners' Salaries				3,010.00
Total Salaries				$4,835.00

[fol. 762] Firm No. 50

South Omaha, Nebraska

Statement of Commissions for Period June 3, 1925, to December 31, 1925

Schedule 2.

Selling

Straight Cars:		
Cattle & Calves	$1,216.90	
Hogs	3,098.56	
Sheep	38.20	
		$4,353.66
Mixed Cars		1,053.25
Drive-ins and Truck-ins:		
Cattle	23.60	
Calves	7.70	
Hogs	50.90	
		82.20
Dealers and Speculators:		
Cattle & Calves	54.30	
Hogs	272.10	
		326.40
		5,815.51
Less Unlocated Difference		.55
Total Selling		$5,814.96

Buying

Straight Cars:		
Cattle & Calves	$176.25	
Hogs	63.00	
		239.25
Drive-outs and Truck-outs:		
Hogs		2.75
Total Buying		$242.00

[fol. 763] Firm No. 50

South Omaha, Nebraska

Statement of Volume for Period June 3, 1925, to December 31, 1925

Schedule 3.

Selling

	Cars		
	S. D.	D. D.	Head
Straight Cars:			
Cattle & Calves	63	....	1,855
Hogs	197	13	14,624
Sheep	3	....	325
	263	13	16,804

	Cars S. D.	Cars D. D.	Head
Mixed Cars:			
Cattle & Calves, Hogs, Sheep	59	....	533 Cattle & Calves; 2,586 Hogs; 56 Sheep
	59	....	3,175
Drive-ins and Truck-ins:			
Cattle	.....	....	31
Calves	.....	....	21
Hogs	.....	....	182
	.....	....	234
Dealers and Speculators:			
Cattle and Calves	.....	....	107
Hogs	.....	....	2,555
	.....	....	2,662
Total Selling	322	13	22,875
Buying			
Straight Cars:			
Cattle & Calves	12	....	393
Hogs	2	2	294
	14	2	687
Drive-Outs and Truck-Outs:			
Hogs	.....	....	11
Total Buying	14	2	698

[fol. 764]

Ex. 57.

Auditor's Report Year Ended December 31, 1925

Firm No. 51

South Omaha, Nebraska

Balance Sheet as at December 31, 1924

Exhibit A.

Assets

Current:		
Cash on Hand	$1,100.00	
Cash in Bank	8,200.41	
	$9,300.41	
Proceeds Receivable	171.93	
Accounts Receivable	752.89	
Total Current Assets		$10,225.23

Fixed:		
Membership	1,800.00	
Office & Operating Equipment	950.00	
Total Fixed Assets		2,750.00
Total Assets		$12,975.23

Liabilities and Net Worth

Current:		
Accounts Payable—Yard Co.	$30.71	
" " —Other	5,311.19	
Total Current Liabilities		$5,341.90
Net Worth:		
Capital Invested	6,197.45	
Undivided Profits	1,435.88	
Total Net Worth		7,633.33
		$12,975.23

[fol. 765]

Firm No. 51

South Omaha, Nebraska

Balance Sheet as at December 31, 1925

Exhibit B.

Assets

Current:		
Cash on Hand	$1,692.80	
Cash in Bank	2,162.35	
	$3,855.15	
Accounts Receivable	907.73	
Total Current Assets		$4,762.88
Fixed:		
Membership	2,800.00	
Office & Operating Equipment	770.00	
Total Fixed Assets		3,570.00
Total Assets		$8,332.88

Liabilities and Net Worth

Current:			
Bank Overdraft		$31.36	
Proceeds Payable—Held a/c Brands		119.00	
Proceeds Payable—Other		2,066.84	
Accounts Payable—Yard Co.	$14.75		
Accounts Payable—Other	73.80		
		88.55	
Total Current Liabilities			$2,305.75

Net Worth:			
Capital Invested	5,433.48		
Undivided Profits	593.65		
Total Net Worth		6,027.13	
Total Liabilities and Net Worth			$8,332.88

[fol. 766] Firm No. 51

South Omaha, Nebraska

Profit and Loss Statement Year Ended December 31, 1925

Exhibit C.

Income:			
Selling Commission		$26,043.87	
Buying Commission		774.45	
Total Operating Income			$26,818.32
Expenses:			
Owners' Salaries:			
Salesmen	$2,025.00		
Non-Active	3,600.00		
	$5,625.00		
Non-Owners' Salaries:			
Salesmen	6,480.00		
Yardmen	1,210.00		
Office	1,330.00		
Extra Help	211.25		
Commission paid as salary	45.40		
	9,276.65		
Total Salaries		14,901.65	
Travel & Entertainment	79.08		
Advertising	1,067.10		
Rent	840.00		
Telephone & Telegraph	346.17		
Stationery & Office Expense	246.14		
General Postage	622.06		
Charity and Donations	27.50		
Insurance	111.06		
Taxes	20.66		
Bonds	35.00		
Exchange Assessments & Dues	267.83		
Meals	99.60		
Depreciation	90.00		
Miscellaneous	242.04		
		4,094.24	
Total Operating Expenses			18,995.89
Net Operating Profit			7,822.43
Other Income:			
Insurance Received			105.00
			7,927.43
Other Deductions:			
Interest Paid			91.33
Net Gain			$7,836.10

[fol. 767] Firm No. 51

South Omaha, Nebraska

Reconciliation of Net Worth Year Ended December 31, 1925

Exhibit D.

Net Worth December 31, 1924		$7,633.33
Additions:		
Net Gain	7,836.10	
		15,469.43
Deductions:		
Other	9,442.30	
Net Worth December 31, 1925		$6,027.13

[fol. 768] Firm No. 51

South Omaha, Nebraska

Statement of Salaries Year Ended December 31, 1925

Schedule 1.

Owners' Salaries:				
Salesman:				
#1 Hog	Full time		$2,025.00	
Non-Active:				
#2.	Deceased		3,600.00	
Total Owners				$5,625.00
Non-Owners' Salaries:				
Salesman:				
#3. Cattle	Full time	$3,050.00		
#4. "	10. Mos.	1,670.00		
#5. Hog	Full time	1,760.00		
			6,480.00	
Yardmen:				
#6. Hog	" "		1,210.00	
Office:				
#7. Bookeeper	" "		1,330.00	
Extra Help			211.25	
Commission paid as Salary			45.40	
				9,276.65
Total Salaries				$14,901.65

[fol. 769] Firm No. 51

South Omaha, Nebraska

Statement of Commissions Year Ended December 31, 1925

Schedule 2

Selling

Straight Cars:			
Cattle and Calves	$ 4,427.96		
Hogs	11,206.43		
Sheep	14.00		
		$15,648.39	
Mixed Cars:		1,489.18	
Drive-Ins and Truck-Ins:			
Cattle	872.35		
Calves	259.10		
Hogs	4,325.07		
Sheep	36.20		
		5,492.72	
Yard Sales:			
Cattle	1,045.00		
Calves	8.20		
Hogs	2,361.14		
		3,414.34	
		26,044.63	
Less Unlocated Difference		.76	
Total Selling Commissions			$26,043.87

Buying

Straight Cars:			
Cattle and Calves	690.75		
Hogs	30.00		
		720.75	
Drive-Outs:			
Cattle	4.50		
Calves	8.80		
Hogs	40.04		
		53.70	
Total Buying Commissions			774.45

[fol. 770] Firm No. 51

South Omaha, Nebraska

Statement of Volume Year Ended December 31, 1925

Schedule 3

Selling

	Cars		
	S. D.	D. D.	Head
Straight Cars:			
Cattle & Calves	229	....	6,110
Hogs	737	21	56,023
Sheep	1	....	48
	967	21	62,181
Mixed Cars:			
Cattle & Calves / Hogs / Sheep	82	....	634 / 4,196 / 103
	82	....	4,933
Drive-Ins and Truck-Ins:			
Cattle	.....	....	1,137
Calves	.....	....	652
Hogs	.....	....	15,504
Sheep	.....	....	174
			17,467
Yard Sales:			
Cattle	.....	....	2,622
Calves	.....	....	24
Hogs	.....	....	24,625
			27,271
Total Selling	1,049	21	111,852

Buying

Straight Cars:			
Cattle and Calves	43	....	1,439
Hogs	2	....	246
	45	....	1,703
Drive-Outs:			
Cattle	.....	....	5
Calves	.....	....	22
Hogs	.....	....	226
			253
Total Buying	45	....	1,956

[fol. 771] Ex. 58.

Auditor's Report Year Ended December 31, 1925

Firm No. 52

South Omaha, Nebraska

Balance Sheet as at December 31, 1924

Exhibit A

Assets

Current:		
Proceeds Receivable	$6,076.39	
Accounts Receivable	130.05	
Total Current Assets		$ 6,206.44
Fixed:		
Memberships	10,000.00	
Total Fixed Assets		10,000.00
Deferred:		
Doubtful Accounts	55.00	
Total Assets		$16,261.44

Liabilities and Net Worth

Current:		
Bank Overdraft	$2,259.68	
Proceeds Payable	1,438.31	
Total Current Liabilities		$ 3,697.99
Net Worth:	12,563.45	
Total Liabilities and Net Worth		$16,261.44

[fol. 772] Firm No. 52

South Omaha, Nebraska

Balance Sheet as at December 31, 1925

Exhibit B.

Assets

Current:		
Cash in Bank	$ 4,596.49	
Proceeds Receivable	48.29	
Accounts Receivable	433.76	
Total Current Assets		$ 5,078.54

Fixed:		
Memberships	10,000.00	
Total Fixed Assets	10,000.00	
Total Assets		$15,078.54

Liabilities and Net Worth

Current:		
Proceeds Payable	$ 1,001.75	
Accts. Payable (Yard Co.)	1,921.12	
Accts. Payable (Other)	42.50	
Total Current Liabilities	$ 2,965.37	
Net Worth	12,113.17	
Total Liabilities and Net Worth		$15,078.54

[fol. 773]

Firm No. 52

South Omaha, Nebraska

Profit and Loss Statement Year Ended December 31, 1925

Exhibit C

Income:			
Selling Commissions		$31,305.89	
Buying Commissions		437.48	
		31,743.37	
Less: Deductions		35.47	
Total Operating Income			$31,707.90
Expenses:			
Owners' Salaries:			
Salesman		4,800.00	
Non-Owners' Salaries:			
Salesmen	9,900.00		
Yardman	258.33		
Office	1,919.00		
Extra Labor	251.25		
		12,329.58	
Total Salaries		17,128.58	
Bonuses Paid	1,355.35		
Split Commissions Paid	119.50		
Travel & Entertainment	2,340.48		
Advertising	2,467.83		
Rent	510.00		
Telephone & Telegraph	319.42		

Stationery & Office Expense	182.46		
General Postage	290.70		
Charity & Donations	235.00		
Insurance	366.33		
Taxes	8.37		
Bond Premium	27.00		
Exchange Assessments & Dues	41.85		
Legal & Auditing	184.20		
Meals	215.05		
Errors & Adjustments	184.53		
Unexplained Item	25.00		
Miscellaneous	267.39		
		9,520.46	
Total Operating Expense			26,649.04
Net Operating Profit			5,058.86
Other Deductions:			
Miscellaneous			279.60
Net Gain			$ 4,779.26

[fol. 774] Firm No. 52

South Omaha, Nebraska

Reconciliation of Net Worth Year Ended December 31, 1925

Exhibit D.

Net Worth, December 31, 1924			$12,563.45
Additions:			
Net Gain			4,779.26
			17,342.71
Deductions;			
Withdrawals	$4,970.25		
Other	259.29		
		5,229.54	
Net Worth, December 31, 1925			$12,113.17

[fol. 775] Firm No. 52

South Omaha, Nebraska

Statement of Salaries Year Ended December 31, 1925

Schedule 1.

Owners' Salaries:			
#1. Salesman, Hog—12 Mo.			$4,800.00
Non-Owner Salaries:			
#2. Salesman, Cattle—12 Mo.		$2,700.00	
#3. Salesman, Cattle—12 Mo.		3,600.00	
#4. Salesman, Hog—12 Mo.		3,600.00	
Non-Owner Salesmen		9,900.00	
#5. Yardman—3 Mo.		258.33	
#6. Bookkeeper—12 Mo.		1,685.00	
#7. Stenographer—2 Mo.		234.00	
Non-Owner Office		1,919.00	
Extra Cattle Yard		68.00	
Extra Hog Yard		12.00	
Extra Office		171.25	
Non-Owner Extra		251.25	
Total Non-Owner Salaries			12,328.58
Total Salaries			$17,128.58

[fol. 776] Firm No. 52

South Omaha, Nebraska

Statement of Commissions Year Ended December 31, 1925

Schedule 2.

	Selling	
Straight Cars:		
Cattle & Calves	$11,246.66	
Hogs	11,791.91	
Sheep	85.80	
		$23,124.37
Mixed Cars		3,590.06
Drive-ins and Truck-ins:		
Cattle	790.80	
Calves	194.40	
Hogs	1,459.59	
Sheep	606.50	
		3,051.29

Dealer and Speculators:			
Cattle	486.00		
Hogs	1,055.62		
		1,541.62	
Total		31,307.34	
Less Unlocated Difference		1.45	
Total Selling Commissions			$31,305.89

Buying

Straight Cars:			
Cattle	397.50		
Sheep	20.00		
		417.50	
Drive-outs & Truck-outs:			
Cattle		20.00	
		437.50	
Less Unlocated Difference		.02	
Total Buying Commissions			$437.48

[fol. 777]

Firm No. 52

South Omaha, Nebraska

Statement of Volume Year Ended December 31, 1925

Schedule 3.

Selling

	No. Cars D. D.	No. Cars S. D.	No. Head
Straight Cars:			
Cattle & Calves	.....	567	15,530
Hogs	44	721	57,557
Sheep	2	3	925
	46	1,291	74,012
Mixed Cars:			
Cattle & Calves, Hogs, Sheep	.....	182	2,003 8,481 279
	.....	182	10,763
Drive-In & Truck-Ins:			
Cattle & Calves	.....	....	1,000
Calves	.....	....	486
Hogs	.....	....	5,263
Sheep	.....	....	3,039
	.....	....	9,788

	No. Cars D. D.	No. Cars S. D.	No. Head
Dealers and Speculators:			
Cattle & Calves	.....	....	1,054
Hogs	.....	....	11,326
	.....	....	12,380
Total Selling	46	1,473	106,943
Buying			
Straight Cars:			
Cattle & Calves	.....	25	804
Sheep	1	....	200
	1	25	1,004
Drive-outs and Truck-outs:			
Cattle	.....	....	20
Total Buying	1	25	1,024

[fol. 778] Ex. 59

Auditor's Report Year Ended December 31, 1925

Firm No. 53

South Omaha, Nebraska

Balance Sheet as at December 31, 1924

Exhibit A.

Assets

Current:			
Cash on Hand		$200.00	
Cash in Bank		5,399.62	
		$5,599.62	
Proceeds Receivable	155.62		
Accounts Receivable	14.44		
		170.06	
Total Current Assets			$5,769.68
Fixed:			
Office & Operating Equipment (Not depreciated)			1,149.45
Total Assets			$6,919.13

Liabilities and Net Worth

Current:		
Accounts Payable (Yard Co.)	$2,166.96	
Accounts Payable (Other)	1,110.33	
Total Current Liabilities		$3,277.29
Net Worth:		
Capital Stock—Authorized	25,000.00	
" " —Unused	21,000.00	
" " —Outstanding	4,000.00	
Deficit	358.16	
Total Net Worth		3,641.84
Total Liabilities and Net Worth		$6,919.13

[fol. 779]

Firm No. 53

South Omaha, Nebraska

Balance Sheet as at December 31, 1925

Exhibit B.

Assets

Current:		
Cash on Hand	$200.00	
Cash in Bank	4,628.40	
Total Current Assets	4,828.40	$4,828.40
Fixed:		
Office & Operating Equipment (Not depreciated)		1,179.45
Total Assets		$6,007.85

Liabilities and Net Worth

Current:		
Accounts Payable (Yard Co.)	$2,913.65	
" " (Other)	99.00	
Total Current Liabilities		$3,012.65
Net Worth:		
Capital Stock—Authorized	$25,000.00	
" " —Unused	21,000.00	
" " —Outstanding	4,000.00	
Deficit	1,004.80	
Total Net Worth		2,995.20
Total Liabilities and Net Worth		$6,007.85

[fol. 780] Firm No. 53

South Omaha, Nebraska

Profit and Loss Statement for Year Ended December 31, 1925

Exhibit C.

Income:				
Selling Commissions			$31,939.40	
Buying "			86.20	
Total Operating Income			32,025.60	
Expense:				
Salaries:				
Owners:				
Salesmen		$16,875.00		
Non-Owners:				
Salesmen	$1,840.00			
Yardmen	1,500.00			
Office	3,115.00			
Commission paid as salary	71.25			
		6,526.25		
Total Salaries		23,401.25		
Bonuses Paid	160.38			
Travel & Entertainment	627.52			
Advertising	6,062.75			
Rent	780.00			
Telephone & Telegraph	178.55			
Stationery & Office Expense	293.40			
General Postage	528.00			
Charity & Donations	36.50			
Horse & Saddle	15.00			
Insurance	70.70			
Taxes	39.81			
Bond Premium	30.00			
Exchange Assessment, Dues	414.53			
Meals	33.57			
Errors & Adjustments	28.08			
Miscellaneous	117.52			
		9,416.31		
Total Operating Expense			32,817.56	
Net Operating Loss			791.96	
Other Deductions:				
Bad Debts			5.00	
Net Loss				$796.96

[fol. 781] Firm No. 53

South Omaha, Nebraska

Reconciliation of Net Worth Year Ended December 31, 1925

Exhibit D.

Net Worth December 31, 1924	$3,641.84
Additions:	
Gain in Feed and Yard Charges over several years prior	150.32
Total	3,792.16
Deductions:	
Net Loss	796.96
Net Worth December 31, 1925	$2,995.20

[fol. 782] Firm No. 53

South Omaha, Nebraska

Statement of Salaries for Year Ended December 31, 1925

Schedule 1.

Owners:				
#1.	Hog Salesman	12	$6,000.00	
#2.	Cattle Salesman	12	6,000.00	
#3.	" "	12	4,875.00	
	Total Owner Salaries			$16,875.00
Non-Owners:				
#4.	Cattle Salesman	12	1,840.00	
#5.	Cattle Yardman	12	1,500.00	
#6.	Stenographer	12	1,200.00	
#7.	Bookkeeper	12	1,915.00	
	Commission paid as Salary		71.25	
	Total Non-Owner Salaries			6,526.25
	Total Salaries			$23,401.25

[fol. 783] Firm No. 53

South Omaha, Nebraska

Statement of Commissions Year Ended December 31, 1925

Schedule 2

	Selling	
Straight Cars:		
Cattle & Calves	$18,339.77	
Hogs	7,356.98	
Sheep	44.75	
		$25,741.50
Mixed Cars		3,755.26

Drive-Ins and Truck-Ins:

Cattle	476.00		
Calves	153.20		
Hogs	965.66		
Sheep	61.60		
		1,656.46	

Speculator-Yard Sales

Cattle & Calves	728.80		
Hogs	42.70		
Sheep	3.00		
		774.50	
		31,927.72	
Add Unlocated Difference		11.68	
Total Selling			$31,939.40

Buying

Straight Cars:

Cattle & Calves		75.00

Drive-Outs and Truck-Outs:

Cattle	4.20		
Sheep	15.20		
		19.40	
		94.40	
Less Unlocated Difference		8.20	
Total Buying			86.20

[fol. 784] Firm No. 53

South Omaha, Nebraska

Statement of Volume Year Ended December 31, 1925

Schedule 3.

Selling

Straight Cars:

	Cars		
	S. D.	D. D.	Head
Cattle & Calves	944	...	26,090
Hogs	508	...	37,283
Sheep	3	...	306
	1,455	...	63,679

Mixed Cars:

Cattle & Calves	198	...	2,146
Hogs			8,730
Sheep			223
	198	...	11,099

Drive-Ins and Truck-Ins:

	Cars		
	S. D.	D. D.	Head
Cattle	....	...	605
Calves	....	...	381
Hogs	....	...	3,334
Sheep	....	...	265
			4,585
Speculator—Yard Sales:			
Cattle & Calves	....	...	1,819
Hogs	....	...	537
Sheep	....	...	15
			2,371
Total Selling	1,653	...	81,734

Buying

Straight Cars:

Cattle & Calves	5	...	219
Drive-Outs and Truck-Outs:			
Cattle	....	...	5
Sheep	....	...	76
			81
Total Buying	5	...	300

[fol. 785] Ex. 60.

Auditor's Report Year Ended December 31, 1925

Firm No. 54

South Omaha, Nebraska

Balance Sheet as at December 31, 1924

Exhibit A.

Assets

Current:			
Cash on Hand	$12.55		
Cash in Bank	2,985.36		
		$2,997.91	
Accounts Receivable		9,912.50	
Notes Receivable	78,870.20		
Less: Notes Rec. Discd.	52,550.88		
		26,319.32	
Miscellaneous		271.55	
Total Current Assets			$39,501.28

Fixed:			
Office & Operating Equipment		1,626.72	
Total Fixed Assets			1,626.72
Total Assets			$41,128.00

Liabilities and Net Worth

Current:			
Estray Account		$523.74	
Accounts Payable, Yd. Co.	$1,215.94		
Accounts Payable, Other	876.69		
		2,092.63	
Notes Payable		27,365.18	
Total Current Liabilities			$29,981.55
Net Worth:			
Capital		11,146.45	
Total Net Worth			11,146.45
Total Liabilities and Net Worth.....			$41,128.00

[fol. 786] **Firm No. 54**

South Omaha, Nebraska

Balance Sheet as at December 31, 1925

Exhibit B.

	Assets		
Current:			
Cash on Hand	$40.93		
Cash in Bank—General	1,663.10		
Cash in Bank—Shippers Proceeds Acct.	637.53		
		$2,341.56	
Proceeds Receivable		83.15	
Accounts Receivable		6,915.09	
Notes Receivable	90,544.90		
Less: Notes Rec. Disctd.	62,680.77		
		27,864.13	
Total Current Assets		$37,203.93	
Fixed:			
Office & Operating Equipment		1,626.72	
Total Fixed Assets			1,626.72
Total Assets			$38,830.65

Liabilities and Net Worth

Current:			
Proceeds Payable		$57.38	
Estray Account		.51	
Accounts Payable, Yard Co.	$624.36		
Accounts Payable, Other	615.71		
		1,240.07	
Notes Payable		29,300.00	
Total Current Liabilities			$30,597.96
Net Worth:			
Capital		8,232.69	
Total Net Worth			8,232.69
Total Liabilities and Net Worth			$38,830.65

[fol. 787] Firm No. 54

South Omaha, Nebraska

Profit and Loss Statement Year Ended Decembers 31, 1925

Exhibit C.

Income:			
Selling Commission	$13,148.52		
Buying Commission	1,804.75		
		$14,953.27	
Clearance Commission		7,732.60	
Split Commission		4.00	
Miscellaneous Income		1,114.00	
Gross Income		23,803.87	
Less: Deductions		67.78	
Total Operating Income			$23,736.09
Expenses:			
Owners Salaries:			
Salesman	$4,800.00		
		4,800.00	
Non-Owners Salaries:			
Salesmen	6,860.00		
Order Buyers	320.00		
Yardmen	467.00		
Office	1,855.00		
Extra Help	20.00		
Com. Paid as Salary.	442.97		
		9,964.97	
Total Salaries			14,764.97

Bonuses Paid	50.00		
Travel & Entertainment	532.50		
Advertising	1,776.87		
Rent	840.00		
Telephone & Telegraph	467.81		
Stationery & Office Expense	652.51		
General Postage	79.60		
Charity & Donations	25.00		
Horse & Saddle	3.00		
Insurance	116.20		
Taxes	36.87		
Bond Premiums	70.00		
Exchange Assessments & Dues	218.48		
Meals	533.80		
Errors & Adjustments	10.21		
Miscellaneous	130.88		
		5,543.73	
Total Operating Expenses			20,308.70
Net Operating Profit			3,427.39
Other Income:			
Interest			791.53
			4,218.92
Other Deductions:			
Interest		2,263.45	
Loan Expense		2.80	
Loss Yard Co. Account		184.42	
			2,450.67
Net Gain			$1,768.25

[fol. 788] Firm No. 54

South Omaha, Nebraska

Reconciliation of Net Worth Year Ended December 31, 1925

Exhibit D.

Net Worth, December 31, 1924		$11,146.45
Additions:		
Net Gain	$1,768.25	
Additional Investment	2,820.75	
Other	682.63	
Total		5,271.63
		16,418.08
Deductions:		
Withdrawals	7,259.09	
Other	926.30	
		8,185.39
Net Worth, December 31, 1925		$8,232.69

[fol. 789]

Firm No. 54

South Omaha, Nebraska

Statement of Salaries Year Ended December 31, 1925

Schedule 1.

Owners Salaries:			
#1. Sheep Salesman	12 Mos.	$4,800.00	
Total Owners Salaries			$4,800.00
Non-Owners Salaries:			
Salesmen:			
#2. Cattle Salesman	12 Mos.	1,920.00	
#3. Cattle Salesman	12 "	2,800.00	
#4. Hog Salesman	12 "	2,140.00	
Total Salesmen		6,860.00	
Buyer:			
#5. Cattle Buyer	2 "	320.00	
Yardmen:			
#6. Yardman	1 "	100.00	
#7. Yardman	4 "	367.00	
Total Yardmen		467.00	
Office:			
#8. Cashier & Bookkeeper	12 "	1,755.00	
#9. Clerk	2 "	100.00	
		1,855.00	
Extra Help		20.00	
Commission Paid as Salary		442.97	
Total Non-Owners Salaries			9,964.97
Total Salaries			$14,764.97

[fol. 790]

Firm No. 54

South Omaha, Nebraska

Statement of Commissions Year Ended December 31, 1925

Schedule 2.

	Selling	
Straight Cars:		
Cattle & Calves	$6,937.01	
Hogs	2,658.60	
Sheep	898.79	
		$10,494.40
Mixed Cars		1,109.93

Drive-Ins and Truck-Ins:			
Cattle	180.80		
Calves	38.55		
Hogs	330.14		
Sheep	28.60		
		578.09	
Dealer and Speculator Sales:			
Cattle	581.50		
Calves	1.60		
Hogs	7.00		
Sheep	376.00		
		966.10	
Total Selling Commission			$13,148.52

Buying

Straight Cars:			
Cattle	727.25		
Sheep	1,060.00		
		1,787.25	
Drive-Outs and Truck-Out Purchases:			
Cattle		3.00	
Dealer and Speculator Purchases:			
Cattle	7.50		
Hogs	7.00		
		14.50	
Total Buying Commission			1,804.75
Total Commission (Selling & Buying)			$14,953.27

[fol. 791] Firm No. 54

South Omaha, Nebraska

Statement of Volume Year Ended December 31, 1925

Schedule 3.

Selling

Straight Cars:

	No. Cars		
	S. D.	D. D.	No. Head
Cattle and Calves	369	..	9,630
Hogs	185	1	13,415
Sheep	4	41	10,214
Total	558	..	33,259

Mixed Cars:

Cattle	56	..	518
Calves			83
Hogs			2,538
Sheep			76
Total	56	..	3,215

	No. Cars S. D.	No. Cars D. D.	No. Head
Drive-Ins and Truck-Ins:			
Cattle	....	..	229
Calves	....	..	96
Hogs	....	..	1,208
Sheep	....	..	143
Total			1,676
Dealer and Speculator Sales:			
Cattle	....	..	1,301
Calves	....	..	6
Hogs	....	..	81
Sheep	....	..	9,389
Total			10.777
Total Selling	614	42	48,927
Buying			
Straight Cars:			
Cattle & Calves	46	..	1,533
Sheep	10	46	15,397
Total	56	46	16,930
Drive-Out and Truck-Out Purchases:			
Cattle	....	..	3
Dealer and Speculator Purchases:			
Cattle	....	..	25
Hogs	....	..	71
Total	....	..	96
Total Buying	56	46	17,029
Total Volume (Selling & Buying)..	670	88	65,956

[fol. 792]

Ex. 61

Auditor's Report Year Ended December 31, 1925

Firm No. 55

South Omaha, Nebraska

Balance Sheet as at January 1, 1925

Exhibit A.

	Assets	
Current:		
Cash in Bank	$1,000.00	..
Total Assets		$1,000.00

Liabilities and Net Worth

Net Worth:		
Capital	$1,000.00	
Total Liabilities and Net Worth		$1,000.00

[fol. 793] Firm No. 55

South Omaha, Nebraska

Balance Sheet as at December 31, 1925

Exhibit B.

Assets

Current:			
Cash—General Acct.	$228.56		
" —Proceeds Acct.	137.65		
Total Current Assets		$366.21	
Fixed:			
Office & Operating Equipment	3,000.00		
Memberships	11,003.85		
Total Fixed Assets		14,003.85	
Deferred		3.08	
Total Assets			$14,373.14

Liabilities and Net Worth

Current:			
Proceeds Payable	$138.00		
Accounts Payable—Yard Co... $7.30			
" " —Other 12.52			
	19.82		
Total Current Liabilities		$157.82	
Net Worth:			
Capital		14,215.32	
Total Liabilities and Net Worth			$14,373.14

[fol. 794] Firm No. 55

South Omaha, Nebraska

Profit and Loss Statement, Year Ended December 31, 1925

Exhibit C.

Income:			
Selling Commissions	$7,718.67		
Buying Commissions	1,144.55		
		$8,863.22	
Miscellaneous Income		617.66	
Gross Operating Income		9,480.88	
Less Deductions		30.05	
Net Operating Income			$9,450.83

Expenses:			
Non-Owners' Salaries:			
Salesmen	2,603.00		
Yardmen	810.00		
Office	1,170.00		
Extra Help	137.00		
Total Salaries		4,720.00	
Split Commissions Paid	4.62		
Advertising	616.76		
Travel and Entertainment	847.98		
Rent	840.00		
Telephone & Telegraph	375.94		
Insurance	21.58		
Charity & Donations	33.54		
Horse & Saddle	25.44		
Taxes	12.28		
Stationery & Office Expenses	217.75		
Legal and Auditing	50.00		
Bond	85.00		
General Postage	5.00		
Exchange Assessments & Dues	177.01		
Unexplained	7.02		
Miscellaneous	133.89		
		3,453.81	
Total Operating Expenses			8,173.81
Net Operating Profit			1,277.02
Other Income			7.39
Miscellaneous			1,284.41
Other Deductions:			
Miscellaneous			826.08
Net Gain			$458.33

[fol. 795]

Firm No. 55

South Omaha, Nebraska

Reconciliation of Net Worth Year Ended December 31, 1925

Exhibit D.

Net Worth January 1, 1925			$1,000.00
Additions:			
Net Gain	$458.33		
Additional Investment	14,637.10		
		15,095.43	
			16,095.43
Deductions:			
Other			1,880.11
Net Worth December 31, 1925			$14,215.32

[fol. 796] Firm No. 55

South Omaha, Nebraska

Statement of Salaries Year Ended December 31, 1925

Schedule #1.

Non-Owners Salaries:

		Mos.		
#1	Cattle Salesman	9	$1,265.00	
#2	Hog Salesman	5	868.00	
#3	Hog Salesman	1	200.00	
#4	Hog Salesman	2	270.00	
	Total Salesmen Salaries			$2,603.00
#5	Cattle Yardman	5½	550.00	
#6	Cattle Yardman	1	140.00	
#7	Sheep Yardman	1½	120.00	
	Total Yardmen Salaries			810.00
#8	Bookkeeper	9	1,125.00	
#9	Stenographer	¾	45.00	
	Total Office Salaries			1,170.00
	Extra Help, Various			137.00
	Total Salaries			$4,720.00

[fol. 797] Firm No. 55

South Omaha, Nebraska

Statement of Commissions Year Ended December 31, 1925

Schedule 2.

	Selling	
Straight Cars:		
Cattle & Calves	$1,966.33	
Hogs	1,034.70	
Sheep	3,219.85	
		$6,220.88
Mixed Cars		462.81
Drive-Ins and Truck-Ins:		
Cattle	71.08	
Calves	31.20	
Hogs	127.94	
Sheep	246.00	
		476.22
Dealers and Speculators:		
Cattle & Calves	433.60	
Hogs	112.56	
Sheep	12.60	
		558.76
Total Selling Commissions		$7,718.67

Buying

Straight Cars:

Cattle & Calves	557.45	
Sheep	442.00	
		999.45

Drive-Outs and Truck-Outs:

Cattle	88.50	
Calves	10.40	
Hogs	9.00	
Sheep	37.20	
		145.10
Total Buying Commissions		$1,144.55

[fol. 798] **Firm No. 55**

South Omaha, Nebraska

Statement of Volume Year Ended December 31, 1925

Schedule 3.

Selling

Straight Cars:

	Cars	Head
Cattle & Calves	101	2,730
Hogs	71	5,181
Sheep	164	43,743
	336	51,654

Mixed Cars:

Cattle & Calves.		287
Hogs	23	852
Sheep		300
	23	1,439

Drive-Ins and Truck-Ins:

Cattle	..	88
Calves	..	78
Hogs	..	461
Sheep	..	2,526
	..	3,153

Dealers and Speculators:

Cattle & Calves	..	963
Hogs	..	1,141
Sheep	..	168
	..	2,272
Total Volume Selling	383	58,518

Buying

	Cars	Head
Straight Cars:		
Cattle & Calves	33	913
Sheep	23	6,020
	56	6,933
Drive-Outs and Truck-Outs:		
Cattle	..	110
Calves	..	26
Hogs	..	270
Sheep	..	189
	..	595
Total Buying	56	7,528

[fol. 799] Ex. 62

Auditor's Report Year Ended December 31, 1925

Firm No. 56

South Omaha, Nebraska

Balance Sheet as at December 31, 1924

Exhibit A.

Assets

Current:			
Cash on Hand	$70.00		
Cash in Bank	1,342.13		
		$1,412.13	
Accounts Receivable		797.03	
Notes Receivable		659.84	
Total Current Assets			$2,869.00
Fixed:			
Membership		2,550.00	
Office & Operating Equipment	4,805.00		
Less Depreciation Reserve	1,640.49		
		3,164.51	
Total Fixed Assets			5,714.51
Total Assets			$8,583.51

Liabilities and Net Worth

Current:	
Accounts Payable (Other)	$2,845.04
Net Worth:	
Capital	5,738.47
Total Liabilities and Net Worth	$8,583.51

[fol. 800] Firm No. 56

South Omaha, Nebraska

Balance Sheet as at December 31, 1925

Exhibit B.

Assets			
Current:			
Cash on Hand	$70.00		
Cash in Bank	680.10		
		$750.10	
Accounts Receivable		10,396.17	
Notes Receivable		981.81	
Total Current Assets			$12,128.08
Fixed:			
Memberships		2,550.00	
Office & Operating Equipment	4,925.00		
Less Reserve for Depreciation	749.24		
		4,175.76	
Total Fixed Assets			6,725.76
Total Assets			$18,853.84
Liabilities and Net Worth			
Current:			
Proceeds Payable (Estrays)		$131.58	
Accounts Payable (Other)		.80	
Total Current Liabilities			$132.38
Net Worth:			
Capital			18,721.46
Total Liabilities and Net Worth			$18,853.84

[fol. 801] Firm No. 56

South Omaha, Nebraska

Profit and Loss Statement Year Ended December 31, 1925

Exhibit C.

Income:			
Selling Commission	$36,868.91		
Buying Commission	4,286.41		
		$41,155.32	
Less Deductions		244.82	
Total Operating Income			$40,910.50
Expenses:			
Owners' Salaries:			
Salesmen	6,600.00		
Total Owners' Salaries		6,600.00	

Non-Owners' Salaries:			
Salesmen	4,571.65		
Yardmen	4,510.00		
Office	3,000.00		
Extra Help	76.66		
Commission Paid as Salary	61.40		
Total General Salaries		12,219.71	
Total Salaries		18,819.71	
Travel & Entertainment	2,326.38		
Advertising	1,915.96		
Rent	390.00		
Telephone & Telegraph	343.86		
Stationery & Office Expense	588.37		
General Postage	310.75		
Charity & Donations	9.00		
Horse & Saddle	45.00		
Insurance	336.39		
Taxes	59.06		
Bond Premiums	92.50		
Exchange Assessments & Dues	620.19		
Legal & Auditing	305.00		
Meals	153.20		
Miscellaneous	125.70		
Total General Expense		7,621.36	
Total Operating Expense			26,441.07
Net Operating Profit			14,469.43
Other Income			265.52
			14,734.95
Other Deductions			419.79
Net Gain			$14,315.16

[fol. 802]

Firm No. 56

South Omaha, Nebraska

Reconciliation of Net Worth Year Ended December 31, 1925

Exhibit D.

Net Worth, December 31, 1924			$5,738.47
Additions:			
Net Gain			14,315.16
			20,053.63
Deductions:			
Withdrawals	$1,090.92		
Rent Prior paid in 1925	32.50		
Loss on Sale of Assets	208.75		
		1,332.17	
		1,332.17	
Net Worth, December 31, 1925			$18,721.46

[fol. 803] Firm No. 56

South Omaha, Nebraska

Statement of Salaries Year Ended December 31, 1925

Schedule #1.

Owners' Salaries:			
Salesmen:			
No. 1 Cattle Salesman	Full Time.....	$3,600.00	
No. 2 Hog Salesman	" "	3,000.00	
Total Owners' Salaries			$6,600.00
Non-Owners' Salaries:			
Salesmen:			
No. 3 Cattle Salesman	9 Months.....	2,475.00	
No. 4 Cattle Salesman	3 "	1,125.00	
No. 5 Cattle Salesman	3½ "	971.65	
Total Salesmen			4,571.65
Yardmen:			
No. 6 Cattle Yardman	Full Time.....	1,800.00	
No. 7 Cattle Yardman	Full Time.....	1,350.00	
No. 8 Cattle Yardman	2 Months.....	100.00	
No. 9 Hog Yardman	Full Time.....	1,260.00	
Total Yardmen			4,510.00
Office:			
No. 10	11 Months.....	1,650.00	
No. 11	Full Time.....	1,200.00	
No. 12	1 Month.....	150.00	
Total Office			3,000.00
Extra Help:			
Extra Office Help, Various.....		26.66	
Extra Yard Help, Various.....		50.00	
Total Extra Help			76.66
Commission Paid as Salary:			
One-half Commission paid for selling Sheep.....			61.40
Total Salaries			$18,819.71

[fol. 804] Firm No. 56

South Omaha, Nebraska

Statement of Commissions, Year Ended December 31, 1925

Schedule 2.

Selling

Straight Cars:			
Cattle & Calves	$24,986.58		
Hogs	5,847.60		
Sheep	34.00		
		$30.868.18	
Mixed Cars		1,714.50	
Drive-Ins and Truck-Ins:			
Cattle	926.25		
Calves	114.40		
Hogs	612.13		
Sheep	31.60		
		1,684.38	
Dealer and Speculator Sales:			
Cattle	2,552.85		
Hogs	49.00		
		2,601.85	
Total Selling Commission			$36,868.91

Buying

Straight Cars:			
Cattle & Calves	4,142.46		
Hogs	47.60		
Sheep	14.00		
		4,204.06	
Drive-Outs and Truck-Outs:			
Cattle	60.25		
Calves	19.90		
Sheep	2.20		
		82.25	
Total Buying Commission			$4,286.41

[fol. 805] Firm No. 56

South Omaha, Nebraska

Statement of Volume, Year Ended December 31, 1925

Schedule 3.

Selling

	No. Cars		
	S. D.	D. D.	Head
Straight Cars:			
Cattle & Calves	1,301	..	35,150
Hogs	387	13	30,702
Sheep	1	1	304
	1,689	14	66,156

	No. Cars S. D.	No. Cars D. D.	Head
Mixed Cars:			
Cattle & Calves	91	..	927
Hogs			4,418
Sheep			46
	91	..	5,391
Drive-Ins and Truck-Ins:			
Cattle	...	..	1,189
Calves	...	..	285
Hogs	...	..	2,242
Sheep	...	..	158
	...	..	3,874
Dealer and Speculator Sales:			
Cattle	...	..	5,343
Hogs	...	..	512
			5,855
Total Selling	1,780	14	81,276
Buying			
Straight Cars:			
Cattle & Calves	263	..	7,462
Hogs	7	1	623
Sheep	1	..	116
	271	1	8,201
Drive-Outs and Truck-Outs:			
Cattle	...	..	90
Calves	...	..	60
Sheep	...	..	11
			161
Total Buying	271	1	8,362

[fol. 806]

Ex. 63

Auditor's Report, Year Ended December 31, 1925

Firm No. 57

South Omaha, Nebraska

Balance Sheet as at December 31, 1924

Exhibit A.

Assets			
Current:			
Cash in Bank	$6,507.63		
Accounts Receivable	164.17		
Total Current Assets		$6,671.80	
Total Assets			$6,671.80

Liabilities and Net Worth

Current:		
Accounts Payable—Yard Co.....	$638.91	
" " —Other	32.89	
Total Current Liabilities.....		$671.80
Net Worth:		
Capital Stock		6,000.00
Total Liabilities and Net Worth.....		$6,671.80

NOTE.—Capital Stock issued and outstanding 200 shares at $100.00 a share totaling $20,000.00, for which stockholders still owe $14,000.00.

[fol. 807] Firm No. 57

South Omaha, Nebraska

Balance Sheet as at December 31, 1925

Exhibit B.

Assets

Current:		
Cash in Bank.....	$4,480.33	
Accounts Receivable	174.17	
Total Current Assets.....		$4,654.50
Total Assets		$4,654.50

Liabilities and Net Worth

Current:		
Accounts Payable—Other.....		$200.00
Net Worth:		
Capital Stock	$4,500.00	
Deficit	135.50	
Total Net Worth.....		4,364.50
Total Liabilities and Net Worth.....		$4,654.50

NOTE.—Capital Stock issued and outstanding 150 shares at $106.00 a share totaling $15,000.00 for which stockholder still owes $10,500.00.

[fol. 808] Firm No. 57

South Omaha, Nebraska

Profit and Loss Statement, Year Ended December 31, 1925

Exhibit C.

Income:		
Selling Commission	$12,968.75	
Buying Commission	897.05	
Split Commission Received.....	31.16	
Total Operating Income.....		$13,896.96

Expenses:				
Owners' Salaries:				
Salesmen		6,000.00		
Non-Owners' Salaries:				
Salesmen	$3,000.00			
Yardmen	2,000.00			
Office	.....			
Extra Help	13.00			
Commission paid as salary	88.60			
		5,101.60		
		11,101.60		
Travel and Entertainment		87.32		
Advertising		1,095.09		
Rent		420.00		
Telephone and Telegraph		231.63		
Stationery and Office Expense		110.35		
General Postage		43.05		
Charity and Donations		10.00		
Horse and Saddle		219.70		
Insurance		5.20		
Taxes		45.58		
Bond Premiums		78.00		
Exchange Assessments and Dues		156.11		
Meals		351.95		
Miscellaneous		58.56		
Total Operating Expenses			14,014.14	
Net Operating Loss				$117.18
Other Income				3.20
Gain in Stockyards Account				113.98
Other Deductions:				
Loss in Stockyards Account				20.77
Net Gain				$134.75

[fol. 809]

Firm No. 57

South Omaha, Nebraska

Reconciliation of Net Worth, Year Ended December 31, 1925

Exhibit D.

Net Worth December 31, 1924			$6,000.00
Deductions:			
Net Loss	$134.75		
Withdrawals	1,500.00		
Refund 1924 Commission	.75		
		1,635.50	
Net Worth December 31, 1925			$4,364.50

[fol. 810] Firm No. 57

South Omaha, Nebraska

Statement of Salaries Year Ended December 31, 1925

Schedule 1.

Owners:			
#1 Cattle Salesman	Full Time.....	$3,600.00	
#2 " "	" "	2,400.00	
Total Owners			$6,000.00
Non-Owners:			
x#3 Hog Salesman and Office	" "		3,000.00
*#4 Yardman and Office	" "	1,800.00	
#5 Hog Yardman	2 Mos.	200.00	
Total Yardmen			2,000.00
Extra Help			13.00
Commission paid as Salary (Sheep)			88.60
Total			$11,101.60

[fol. 811] Firm No. 57

South Omaha, Nebraska

Statement of Commissions Year Ended December 31, 1925

Schedule 2.

Selling

Straight Cars:		
Cattle and Calves	$6,238.58	
Hogs	3,513.41	
Sheep and Goats	60.80	
		$9,812.79
Mixed Cars		1,677.40
Truck-Ins:		
Cattle	177.29	
Calves	17.60	
Hogs	510.70	
Sheep	42.40	
		747.99
Yard Sales:		
Cattle and Calves	681.38	
Hogs	42.05	
		723.43
Total		12,961.61
Add Unlocated Difference		7.14
Total Selling		$12,968.75

x #3 Salesman 70%, Office 30%.
* #4 Cattle Yardman 70%, Office 30%.

Buying

Straight Cars:		
Cattle and Calves	806.25	
Sheep	82.00	
		888.25
Truck-Outs:		
Cattle	3.00	
Calves	4.00	
Hogs	1.80	
		8.80
Total Buying		$897.05

[fol. 812]

Firm No. 57

South Omaha, Nebraska

Statement of Volume Year Ended December 31, 1925

Schedule 3.

Selling

	No. Cars		
	S. D.	D. D.	No. Head
Straight Cars:			
Cattle and Calves	344	...	8,741
Hogs	236	...	16,183
Sheep	4	...	442
	584	...	25,366
Mixed Cars:			
Cattle and Calves Hogs Sheep	90	...	1,131 3,507 44
	90	...	4,682
Truck-Ins:			
Cattle	...	...	275
Calves	...	...	44
Hogs	...	...	1,829
Sheep	...	...	212
	...	...	2,360
Dealers and Speculators:			
Cattle and Calves	...	...	1,554
Hogs	...	...	153
	...	...	1,707
Total Selling	674	...	34,115

Buying

	Cars		
	S. D.	D. D.	Head
Straight Cars:			
Cattle and Calves	53	...	1,739
Sheep	3	2	830
	56	2	2,569
Truck-Outs:			
Cattle	...	...	3
Calves	...	...	10
Hogs	...	...	9
	...	...	22
Total Buying	56	2	2,591

[fol. 813] Ex. 64

Auditor's Report Year Ended December 31, 1925

Firm No. 58

South Omaha, Nebraska

Balance Sheet as at January 2, 1925

Exhibit A.

Assets			
Current:			
Cash on Hand	$280.00		
Cash in Bank	4,358.61		
		$4,638.61	
Total Current Assets			$4,638.61
Fixed:			
Memberships		7,800.00	
Office & Operating Equipment		2,121.47	
Total Fixed Assets			9,921.47
Total Assets			$14,560.08
Liabilities and Net Worth			
Current:			
Accounts Payable—Yard Co.		960.08	
Total Current Liabilities			960.08
Net Worth:			
Capital			13,600.00
Total Liabilities and Net Worth			$14,560.08

[fol. 814] Firm No. 58

South Omaha, Nebraska

Balance Sheet as at December 31, 1925

Exhibit B.

Assets

Current:			
Cash on Hand	$150.00		
Cash in Bank	5,615.78		
		$5,765.78	
Total Current Assets			$5,765.78
Fixed:			
Memberships		7,800.00	
Office & Operating Equipment		2,141.72	
Total Fixed Assets			9,941.72
Total Assets			$15,707.50

Liabilities and Net Worth

Current:			
Accounts Payable—Yard Co.		1,042.86	
Total Current Liabilities			1,042.86
Net Worth:			
			14,664.64
Total Liabilities and Net Worth			$15,707.50

[fol. 815] Firm No. 58

South Omaha, Nebraska

Profit and Loss Statement for Year Ended December 31, 1925

Exhibit C.

Income:			
Selling Commissions			$36,318.17
Buying Commissions			515.40
Total Commissions			$36,833.57
Expenses:			
Owners' Salaries:			
Salesmen	$10,400.00		
Non-Owners' Salaries:			
Salesmen	$7,140.00		
Office	4,440.00		
Yardmen	1,370.00		
Extra Help	239.10		
Commission paid as salary	213.90		
		13,403.00	
Total Salaries			23,803.00

Bonuses Paid	350.00	
Travel & Entertainment	1,690.15	
Advertising	3,688.59	
Rent	900.00	
Telephone & Telegraph	625.13	
Stationery & Office Expense	437.85	
General Postage	1,464.70	
Charity & Donations	138.00	
Horse & Saddle	798.05	
Insurance	402.82	
Taxes	70.22	
Bond Premiums	71.00	
Exchange Assessments & Dues	597.37	
Legal & Auditing	45.00	
Meals	249.05	
Miscellaneous	307.60	
		11,835.53
Total Operating Expenses		35,638.53
Net Operating Profit		1,195.04
Other Deductions		130.40
Net Gain		$1,064.64

[fol. 816] Firm No. 58

South Omaha, Nebraska

Reconciliation of Net Worth, Year Ended December 31, 1925

Exhibit D.

Net Worth January 2, 1925	$13,600.00	
Additions:		
Net Gain	1,064.64	
Net Worth December 31, 1925		$14,664.64

[fol. 817] Firm No. 58

South Omaha, Nebraska

Statement of Salaries for Year Ended December 31, 1925

Schedule 1.

Owners' Salaries:			
# 1 Cattle Salesman,	12 Mos.	$6,200.00	
# 2 Cattle Salesman,	12 "	4,200.00	
Total Owners' Salaries			$10,400.00
Non-Owners' Salaries:			
# 3 Cattle Salesman,	12 Mos.	2,400.00	
# 4 Hog Salesman,	12 "	3,000.00	
# 5 Hog Salesman,	12 "	1,740.00	
Total Non-Owner Salesmen			7,140.00

# 6 Bookkeeper & Cashier,	12 Mos.....	2,700.00		
# 7 Asst. Bookkeeper & Stenographer,	12 "	1,740.00		
Total Non-Owner Office.....			4,440.00	
# 8 Cattle Yardman,	3 Mos.....	405.00		
# 9 Cattle & Hog Yardman,	4 "	500.00		
#10 Cattle & Hog Yardman,	3 " (about)	465.00		
Total Non-Owner Yardmen.....			1,370.00	
Extra Help—Office.....		15.00		
" " —Yardmen		206.10		
" " —Various		18.00		
Total Non-Owners Extra Help.....			239.10	
Commission Paid as Salary (½ Com. Sheep).....			213.90	
Total Non-Owners' Salaries.....			13,403.00	
Total Salaries.....				$23,803.00

[fol. 818]

Firm No. 58

South Omaha, Nebraska

Statement of Commissions, Year Ended December 31, 1925

Schedule 2.

	Selling		
Straight Cars:			
Cattle & Calves.....	$29,902.95		
Hogs	2,352.88		
Sheep	282.55		
		$32,538.38	
Mixed Cars.....		2,081.50	
Drive-Ins and Truck-Ins:			
Cattle	234.37		
Calves	62.00		
Hogs	487.40		
Sheep	50.20		
		833.97	
Dealers and Speculators:			
Cattle & Calves.....	842.60		
Hogs	23.60		
		866.20	
Total		36,320.05	
Less Unlocated Difference.....		1.88	
Total Selling			$36,318.17

Buying

Straight Cars:

Cattle & Calves	465.00	
Sheep	48.00	
		513.00

Drive-Outs and Truck-Outs:

Cattle	2.40
Total Buying	**$515.40**

[fol. 819] **Firm No. 58**

South Omaha, Nebraska

Statement of Volume, Year Ended December 31, 1925

Schedule 3.

Selling

	No. Cars		
	D. D.	S. D.	No. Head
Straight Cars:			
Cattle & Calves	..	1,557	42,051
Hogs	15	141	11,305
Sheep	1	14	2,913
	16	1,712	56,269
Mixed Cars:			
Cattle & Calves Hogs Sheep	1	110	1,431 3,651 472
	1	110	5,554
Drive-Ins and Truck-Ins:			
Cattle	..	....	295
Calves	..	....	155
Hogs	..	....	1,802
Sheep	..	....	251
	..	....	2,503
Dealers and Speculators:			
Cattle and Calves	..	....	2,102
Hogs	..	....	59
			2,161
Total Selling	17	1,822	66,487

Buying

Straight Cars:

Cattle and Calves	..	31	375
Sheep	..	3	449
	..	34	824

	No. Cars		
	D. D.	S. D.	No. Head
Drive-Outs and Truck-Outs:			
Cattle	..	....	3
Total Buying	..	34	827

[fol. 820]

Ex. 65

Auditor's Report, Year Ended December 31, 1925

Firm No. 60

South Omaha, Nebraska

Balance Sheet as at December 31, 1924

Exhibit A.

Assets

Current:			
Proceeds Receivable	$946.69		
Accounts Receivable	626.22		
Total Current Assets		$1,572.91	
Fixed:			
Office and Operating Equipment	15.00		
Total Fixed Assets		15.00	
Deferred:			
Unadjusted Differences	6.38		
Total Deferred Assets		6.38	
Total Assets			$1,594.29

Liabilities and Net Worth

Current:			
Bank Overdraft	$471.62		
Accounts Payable (Yard)	925.61		
Total Current Liabilities		$1,397.23	
Net Worth:			
Capital	197.06		
Total Net Worth		197.06	
Total Liabilities and Net Worth			$1,594.29

[fol. 821] Firm No. 60

South Omaha, Nebraska

Balance Sheet as at December 31, 1925

Exhibit B.

Assets

Current:			
Cash in Bank (General)	$189.88		
Cash in Bank (Shippers Proceeds)	714.69		
Proceeds Receivable	226.54		
Accounts Receivable	584.06		
Total Current Assets		$1,715.17	
Fixed:			
Office and Operating Equipment	15.00		
Total Fixed Assets		15.00	
Total Assets			$1,730.17

Liabilities and Net Worth

Current:			
Accounts Payable (Yard)	$400.98		
Accounts Payable (Other)	2.73		
Total Current Liabilities		$403.71	
Net Worth:			
Capital	1,326.46		
Total Net Worth		1,326.46	
Total Liabilities and Net Worth			$1,730.17

[fol. 822] Firm No. 60

South Omaha, Nebraska

Profit and Loss Statement Year Ended December 31, 1925

Exhibit C.

Income:		
Selling Commissions	$11,715.46	
Buying Commissions	1,429.70	
Total Operating Income		$13,145.16
Expenses:		
Owners' Salarise:		
Salesman	2,405.29	

Non-Owners' Salaries:			
Salesmen	$6,406.65		
Commission paid as Salary	26.90		
Total Non-Owners		6,433.55	
Total Salaries		8,838.84	
Travel and Entertainment		499.10	
Advertising		1,200.86	
Rent		390.00	
Telephone and Telegraph		139.94	
Stationery & Office Expense		90.97	
Taxes		9.76	
Charity and Donations		10.00	
Bond Premiums		50.74	
Exchange Assessments and Dues		211.02	
Legal and Auditing		20.00	
Errors and Adjustments		63.41	
Miscellaneous		145.34	
Total Operating Expenses			11,669.98
Net Operating Profit			1,475.18
Other Deductions:			
Interest		.58	
Bad Debts		151.72	
Loss on Food Account		193.48	
			345.78
Net Gain			$1,129.40

[fol. 823] Firm No. 60

South Omaha, Nebraska

Reconciliation of Net Worth Year Ended December 31, 1925

Exhibit D.

Net Worth, December 31, 1924	$197.06
Additions:	
Net Gain	1,129.40
Net Worth, December 31, 1925	$1,326.46

[fol. 824] Firm No. 60

South Omaha, Nebraska

Statement of Salaries Year Ended December 31, 1925

Schedule 1.

Owners' Salaries:			
$1 Cattle Salesman	Full time		$2,405.29

Non-Owners' Salaries:

*$2 Cattle Salesman & Office	" "	2,648.44
$3 Hog Salesman	4 Months	832.20
$4 " "	Full time	2,926.01
Total Salesmen		6,406.65
Commission paid as Salary		26.90
Total Non-Owners' Salaries		6,433.55
Total Salaries		$8,838.84

[fol. 825] Firm No. 60

South Omaha, Nebraska

Statement of Commissions Year Ended December 31, 1925

Schedule 2.

Selling

Straight Cars:			
Cattle and Calves	$3,909.63		
Hogs	5,503.89		
Sheep	14.00		
		$9,427.52	
Mixed Cars		1,414.60	
Drive-Ins and Truck-Ins:			
Cattle	85.25		
Calves	5.10		
Hogs	184.10		
Sheep	2.20		
		276.65	
Speculator—Yard Sales:			
Cattle	476.65		
Calves	10.50		
Hogs	132.58		
		619.73	
		11,738.50	
Less Difference—Unlocated		23.04	
Total Selling			$11,715.46

Buying

Straight Cars:			
Cattle & Calves	1,361.20		
Hogs	24.00		
		1,385.20	
Drive-Outs and Truck-Outs:			
Cattle & Calves		44.50	
Total Buying			$1,429.70

*Cattle Salesman 50%..... $1,324.22
Office 50%..... 1,324.22

[fol. 827]

EXHIBIT 66

Map Union Stock Yards Omaha. Not material herein.

EXHIBIT 67 (a-b-c)

Receipts and Disposition of Live Stock January to March, 1926, Inclusive, Compared with the Same Months 1925

Union Stock Yards Company of Omaha [Limited]

Receipts and Disposition of Live Stock for Month of January, 1926, Compared with January, 1925

Receipts

	Cattle		Calves		Hogs		Sheep		Horses & Mules		Total	Cars
Railroads	1926	1925	1926	1925	1926	1925	1926	1925	1926	1925	1926	1925
C. & N. W. R., East...	5,021	3,885	208	197	10,482	11,746	211	743	173	165	351	294
C. & M. W. Ry., West..	25,627	27,996	1,379	1,211	125,369	160,601	24,220	20,633	458	289	2,900	3,245
C. B. & Q. Ry., East...	5,000	4,598	219	250	4,129	7,894	2,938	2,769	146	266	289	333
C. B. & Q. Ry., West...	22,399	26,100	1,523	1,594	33,009	65,393	57,535	65,453	216	203	,692	2,222
C. G. W. Ry.....	2,956	1,425	103	51	4,252	3,906	.....	941	19	15	172	124
C. M. & St. P. Ry....	2,067	1,958	180	120	8,762	9,144	744	.....	73	.....	207	195
C. R. I. & P. Ry., East.	6,450	5,590	299	224	6,832	13,910	1,235	2,359	167	183	385	450
C. R. I. & P. Ry., West.	1,809	1,992	100	51	4,096	5,372	1,392	1,079	138	.....	148	155
C. St. P. M. & O. Ry...	9,305	11,751	108	182	21,026	28,279	1,633	4,616	43	80	713	935
Illinois Central Ry.....	3,664	3,421	162	166	6,011	7,579	467	615	47	11	219	206
Mo. Pac. Ry.....	930	1,149	175	65	2,532	4,068	2,610	1,072	27	18	92	110
U. P. R. R.....	27,874	34,518	1,315	1,401	47,045	93,254	61,118	54,150	149	152	2,097	2,799
Wabash R. R.....	529	622	11	18	344	290	330	469	18	32	32	36
Driven in.....	8,126	5,282	2,197	1,667	48,887	44,143	17,901	20,874	220	162	.....	.....
Grand Total.....	121,757	130,287	7,979	7,197	322,776	455,569	172,334	175,773	1,894	1,576	9,297	11,104
Increase for Month....	.....	.....	782	.....	.....	.....	.....	.....	318	.....	.....	.....
Decrease for Month...	8,530	.....	.....	.....	132,793	.....	3,439	.....	.....	.....	1,807	.....

From Jan. 1st to Date.	121,757	130,287	7,979	7,197	322,776	455,569	172,334	175,773	1,894	1,576	9,297	11,104
Increase	.....	.....	782	.....	.....	.....	.....	.....	318	.....	.....	.....
Decrease	8,530	.....	.....	.....	132,793	.....	3,439	.....	.....	.....	1,807	.....
Average Weight of Hogs	.....	.....	.....	.....	244	213	.....	.....	.....	.....	.....	.....

Disposition

C. & N. W. R., East...	4,532	5,087	440	60	20,440	8,006	4,122	6,557	73	50	353	291
C. & N. W. Ry., West..	2,298	3,031	601	173	.....	75	5,408	3,599	172	225	116	116
C. B. & Q. Ry., East...	7,205	9,827	638	205	8,931	16,845	11,319	10,841	150	69	404	579
C. B. & Q. Ry., West...	2,350	3,076	254	.....	.....	1,589	467	1,019	79	93	89	124
C. G. W. Ry.....	604	814	152	50	.....	.....	2,568	1,499	2	.....	45	35
C. M. & St. P. Ry....	4,303	3,762	65	.....	7,968	2,652	9,722	2,099	.....	.....	287	167
C. R. I. & P. Ry., East.	3,213	3,374	60	90	2,893	853	2,754	50	64	.....	162	129
C. R. I. & P. Ry., West.	822	949	110	100	432	512	335	1,869	43	19	38	44
C. St. P. M. & O. Ry...	2,020	1,715	50	.....	.....	.....	1,457	1,302	24	19	71	63
Illinois Central Ry....	1,063	1,125	352	152	.....	1,189	132	315	.....	.....	39	62
Mo. Pac. Ry.....	3,588	4,172	111	.....	46,603	44,110	1,837	916	210	41	565	557
U. P. R. R.....	3,376	3,109	255	321	5,239	164	2,584	1,957	160	177	184	124
Wabash R. R.....	1,556	1,610	220	.....	22,937	17,289	486	325	423	435	241	215
Total Shipments.....	36,930	41,651	3,308	1,151	115,443	93,284	43,191	32,348	1,400	1,128	2,594	2,506
Driven Out.....	2,286	2,810	13	156	449	4,246	4,942	7,824	.....	.....	.....	.....
Consumed in S. Omaha.	82,541	85,826	4,658	5,890	206,884	358,039	124,201	135,601	.....	.....	.....	.....
Grand Total.....	121,757	130,287	7,979	7,197	322,776	455,569	172,334	175,773	.....	.....	.....	.....
Consumed in S. Omaha From Jan. 1st to Date.	82,541	85,826	4,658	5,890	206,884	358,039	124,201	135,601	.....	.....	.....	.....
Stockers and Feeders to Country.....	23,812	23,291	.....	.....	125	334	19,728	11,106	.....	.....	.....	.....

South Omaha, Nebraska, January 31, 1926. M. L. Shawcross, Secretary.

Union Stock Yards Company of Omaha [Limited]

Receipts and Disposition of Live Stock for Month of February, 1926, Compared with February, 1925

[fol. 828]

Receipts

	Cattle		Calves		Hogs		Sheep		Horses & Mules		Total	Cars
Railroads	1926	1925	1926	1925	1926	1925	1926	1925	1926	1925	1926	1925
C. & N. W. R., East...	2,957	3,858	145	157	5,974	13,586	710	471	107	211	207	321
C. & N. W. Ry., West..	20,343	18,891	1,053	1,107	95,164	146,298	16,869	13,218	525	433	2,298	2,692
C. B. & Q. Ry., East...	3,743	3,612	204	149	2,692	6,903	1,70	118	194	268	219	258
C. B. & Q. Ry., West...	22,617	21,096	1,423	1,662	30,349	55,631	75,561	65,269	561	341	1,741	1,921
C. G. W. Ry.....	1,219	1,344	205	29	2,235	4,132	318	264	7	45	91	122
C. M. & St. P. Ry....	1,266	1,767	109	137	5,924	8,617	908	527	45	49	137	193
C. R. I. & P. Ry., East.	4,468	4,700	362	230	6,110	13,779	1,212	927	75	256	291	403
C. R. I. & P. Ry., West.	1,895	1,056	89	64	2,906	4,095	.....	2,381	303	.....	135	107
C. St. P. M. & O. Ry...	8,181	8,303	107	169	14,975	25,121	2,639	1,425	74	60	603	722
Illinois Central Ry....	2,675	2,508	141	182	3,135	6,351	.....	.....	.....	7	147	179
Mo. Pac. Ry.....	1,338	1,587	93	154	1,736	3,582	1,856	1,134	19	34	97	127
U. P. R. R.....	28,389	26,916	1,576	1,502	50,419	84,038	66,334	89,869	112	248	2,212	2,543
Wabash R. R.....	295	636	8	20	435	715	204	127	.....	21	20	39
Driven in.....	6,746	4,001	1,908	1,245	36,064	33,765	16,486	17,740	250	220	.....	.....
Grand Total.....	106,132	100,275	7,423	6,807	258,118	406,613	184,768	193,477	2,272	2,193	8,198	9,627
Increase for Month....	5,857	.....	616	.....	.....	.....	.....	.....	79	.....	.....	.....
Decrease for Month...	.....	.....	.....	.....	148,495	.....	8,709	.....	.....	.....	1,429	.....
From Jan. 1st to Date..	227,889	230,562	15,402	14,004	580,894	862,182	357,102	369,250	4,166	3,769	17,495	20,731
Increase	.....	.....	1,398	.....	.....	.....	.....	.....	397	.....	.....	.....
Decrease	2,673	.....	.....	.....	281,288	.....	12,148	.....	.....	.....	3,236	.....
Ave. Weight of Hogs..	.....	.....	.....	.....	251	217	.....	.....	.....	.....	.....	.....

Disposition

C. & N. W. R., East...	4,107	5,670	253	274	18,898	7,964	7,337	18,486	188	47	342	344
C. & N. W. Ry., West..	1,822	1,867	213	.....	132	140	1,153	1,464	78	129	74	74
C. B. & Q. Ry., East...	7,224	7,507	212	204	9,549	13,356	13,216	24,601	331	259	429	521
C. B. & Q. Ry., West...	2,083	1,829	.....	227	340	.....	437	3,281	199	155	82	83
C. G. W. Ry.....	756	1,131	.....	.....	268	.....	2,682	684	20	74	41	45
C. M. & St. P. Ry.....	5,035	4,965	345	101	9,751	5,111	9,087	2,559	63	.....	332	247
C. R. I. & P. Ry., East.	2,737	2,603	173	208	3,780	1,747	3,956	714	192	.....	170	108
C. R. I. & P. Ry., West.	114	174	.....	.....	.....	.....	750	2,969	22	18	8	22
C. St. P. M. & O. Ry...	725	1,334	159	100	144	140	1,251	1,009	19	52	40	54
Illinois Central Ry....	780	1,454	180	108	861	3,320	819	808	43	3	45	92
Mo. Pac. Ry.....	2,864	3,970	89	59	20,764	44,709	148	793	118	177	457	503

C. R. I. & P. Ry., East.	2,737	2,603	173	208	3,780	1,747	3,956	714	192	.....	170	108
C. R. I. & P. Ry., West.	114	174	.....	.....	.....	.....	750	2,969	22	18	8	22
C. St. P. M. & O. Ry...	725	1,334	159	100	144	140	1,251	1,009	19	52	40	54
Illinois Central Ry....	780	1,454	180	108	861	3,320	819	808	43	3	45	92
Mo. Pac. Ry.....	2,864	3,070	89	50	39,764	44,790	148	793	118	177	457	503
U. P. R. R.....	1,966	1,930	55	212	3,372	88	3,352	1,767	193	84	119	78
Wabash R. R.....	1,679	1,587	50	.....	14,665	16,785	2,472	2,904	224	749	189	247
Total Shipments.....	31,892	35,121	1,729	1,484	101,524	93,441	46,560	62,039	1,690	1,747	2,328	2,418
Driven Out.....	1,641	2,367	.....	71	1,006	1,492	2,575	4,607	.....	.....	.....	.....
Consumed in S. Omaha.	72,599	62,787	5,694	5,252	155,588	311,680	135,533	126,831	.....	.....	.....	.....
Grand Total.....	106,132	100,275	7,423	6,807	258,118	406,613	184,768	193,477	.....	.....	.....	.....
Consumed in S. Omaha From Jan. 1st to Date	155,140	148,613	10,352	11,142	362,472	669,719	259,734	262,432	.....	.....	.....	.....
Stockers and Feeders to Country.....	17,004	19,558	.....	.....	917	566	15,094	14,970	.....	.....	.....	.....

South Omaha, Nebraska, February 28, 1926. M. L. Shawcross, Secretary.

[fol. 829] Union Stock Yards Company of Omaha [Limited]

Receipts and Disposition of Live Stock for Month of March, 1926, Compared with March, 1925

Receipts

	Cattle		Calves		Hogs		Sheep		Horses & Mules		Total Cars	
Railroads	1926	1925	1926	1925	1926	1925	1926	1925	1926	1925	1926	1925
C. & N. W. R., East...	3,631	4,774	170	262	7,726	9,723	266	.....	122	184	269	326
C. & N. W. Ry., West..	26,830	24,466	1,101	1,139	97,323	102,413	11,057	14,189	363	258	2,570	2,461
C. B. & Q. Ry., East...	4,437	5,156	270	218	3,548	5,466	1,545	4	83	233	250	302
C. B. & Q. Ry., West...	33,692	29,837	1,732	2,493	35,706	48,492	110,168	91,578	185	320	2,409	2,356
C. G. W. Ry.....	1,053	1,432	48	50	2,115	2,600	.....	.....	.....	30	77	100
C. M. & St. P. Ry....	931	1,559	70	155	5,537	6,240	16	55	1	124	118	151
C. R. I. & P. Ry., East.	4,445	5,939	313	358	6,519	9,713	.....	197	55	105	283	393
C. R. I. & P. Ry., West.	1,791	1,185	140	85	2,505	2,529	667	1,418	103	71	121	97
C. St. P. M. & O. Ry...	8,835	9,355	166	183	16,041	15,688	2,066	2,059	27	50	638	648
Illinois Central Ry....	2,568	3,216	205	282	2,789	3,279	.....	.....	.....	50	132	165
Mo. Pac. Ry.....	1,492	1,923	123	433	1,692	2,623	2,386	887	26	33	109	126
U. P. R. R.....	41,431	33,907	1,887	2,154	60,839	71,171	113,199	113,481	104	169	3,111	2,799
Wabash R. R.....	766	983	1	57	208	730	.....	.....	15	22	33	52
Driven in.....	8,465	5,576	2,889	2,182	51,579	34,024	22,947	5,473	327	189	.....	.....
Grand Total.....	140,367	129,308	9,115	10,051	294,127	314,691	264,317	229,341	1,411	1,838	10,120	9,976
Increase for Month....	11,059	.....	.....	.....	.....	.....	34,976	.....	.....	.....	144	.....
Decrease for Month...	.....	.....	936	.....	20,564	.....	.....	.....	427	.....	.....	.....
From Jan. 1st to Date.	368,256	359,870	24,517	24,055	875,021	1,176,873	621,419	598,591	5,577	5,607	27,615	30,707
Increase.....	8,386	.....	462	.....	.....	.....	22,828	.....	.....	.....	.....	.....
Decrease.....	.....	.....	.....	.....	301,852	.....	.....	.....	30	.....	3,092	.....
Ave. Weight of Hogs..	.....	.....	.....	.....	250	230	.....	.....	.....	.....	.....	.....

Disposition

C. & N. W. R., East...	4,838	4,975	.....	160	24,942	4,534	8,936	12,112	25	197	425	297
C. & N. W. Ry., West..	2,770	2,232	257	102	.....	139	1,681	3,221	42	78	103	96
C. B. & Q. Ry., East...	7,932	7,559	54	315	11,120	9,232	16,246	19,953	251	221	510	501
C. B. & Q. Ry., West...	1,473	1,799	.....	472	215	127	1,155	560	26	90	58	78
C. G. W. Ry.....	735	831	.....	50	6,644	1,861	4,602	1,760	.....	.....	112	36
C. M. & St. P. Ry....	7,994	8,106	50	164	7,179	10,391	16,827	13,741	158	66	477	492
C. R. I. & P. Ry., East.	3,875	3,320	50	109	4,334	1,949	6,427	2,845	134	1	230	167
C. R. I. & P. Ry., West.	294	578	.....	52	.....	.....	456	1,567	.....	.....	11	26
C. St. P. M. & O. Ry...	1,000	1,443	50	103	143	.....	1,666	1,306	.....	.....	47	62
Illinois Central Ry....	964	1,347	492	743	323	.....	260	417	.....	12	47	86
Mo. Pac. Ry.....	4,635	3,936	44	.....	50,704	30,155	232	.....	101	145	684	403
U. P. R. R.....	3,352	3,533	547	273	1,356	229	5,129	4,241	119	51	152	147
Wabash R. R.....	1,656	2,005	54	.....	16,409	12,907	1,451	776	102	616	211	212
Total Shipments.....	41,518	41,664	1,598	2,543	123,369	71,524	65,068	62,499	958	1,477	3,067	2,603
Driven Out.....	1,839	3,225	.....	108	1,095	496	4,988	9,416	.....	.....	.....	.....
Consumed in S. Omaha.	97,010	84,419	7,517	7,400	169,663	242,671	194,261	157,426	.....	.....	.....	.....
Grand Total.....	140,367	129,308	9,115	10,051	294,127	314,691	264,317	229,341	.....	.....	.....	.....
Consumed in S. Omaha from Jan. 1st to Date	252,150	233,032	17,869	18,542	532,135	912,390	453,995	419,858	.....	.....	.....	.....
Stockers and Feeders to Country.....	18,565	20,378	.....	.....	1,017	978	14,535	13,841	.....	.....	.....	.....

South Omaha, Nebraska, March 31, 1926. M. L. Shawcross, Secretary.

[fol. 826] Firm No. 60

South Omaha, Nebraska

Statement of Volume Year Ended December 31, 1925

Schedule 3.

Selling

	No. Cars		
	S. D.	D. D.	No. Head
Straight Cars:			
Cattle & Calves	203	...	5,393
Hogs	378	5	28,698
Sheep	1	...	119
	582	5	34,210
Mixed Cars:			
Cattle & Calves	67	...	779
Hogs			3,220
Sheep			185
	67	...	4,184
Drive-Ins and Truck-Ins:			
Cattle	...	...	118
Calves	...	...	13
Hogs	...	...	659
Sheep	...	...	6
	...	...	796
Speculator—Yard Sales:			
Cattle	...	...	1,100
Calves	...	...	48
Hogs	...	...	1,238
Total Selling	649	5	41,576

Buying

Straight Cars:			
Cattle and Calves	92	...	2,785
Hogs	3	...	206
	95	...	2,991
Drive-Outs and Truck-Outs:			
Cattle and Calves	...	...	56
Total Buying	95	...	3,047

(Here follows Exhibits 66 and 67, marked side folio pages 827, 828, and 829)

[fol. 830] EXHIBITS 68-83, INCLUSIVE

Accounts of purchase and sale as rendered by a live stock commission firm to the shipper of live stock, showing the disposition of the live stock, distribution of the proceeds for various typical consignments, single and plural ownerships, straight and mixed loads, etc. The form upon which the account is made is as follows:

Bliss-Wellman & Hopkins, Live Stock Commission, Rooms 251-256 Live Stock Exchange Bldg.

Telephone, Market 0910

F. C. Bliss, Mgr. Cattle Dept.; F. F. A. Wellman, Mgr. Hog Dept.; C. H. Hopkins, Manager Office

Stock Yards Station,
Omaha, Nebr., —— —, 192–.

Sold for Account of —— ——. Shipped by —— ——.
Postoffice: ——. Shipping Point: ——. R. F. D.: ——.

Purchaser	Cattle	Hogs	Sheep	Weight	Dockage		
					Sows	Stags	Lbs.
.....	.....	.....	.....	.....	.....	.....	.....
.....	.....	.....	.....	.....	.....	.....	.....

Price	Gross Item	Amount	Car Nos.	R. R.	Weight	Rate
.....	.....	.....	.....	.....	.....	.....
.....	.....	.....	.....	.....	.....	.....

National Fund to Increase .....
Meat Consumption .....
Yard Insurance .....
Freight .....
Terminal .....
Truckage .....
Total .....
Yardage .....
Hay, — Lbs. @ — .....
Corn, — Bu. @ — .....
Inspection .....
Arbitration .....

Commission .....

Total Expense .....
Net Proceeds .....
Cash Advanced .....

Balance .....

Anything not satisfactory, please write us for explanation. We will most cheerfully furnish all particulars. —— Bank.

[fol. 831] The exhibits show typical loads of live stock sold to numbers of purchasers varying from one to eight, with various combinations as to species of livestock, number of owners interested in the shipment, number of drafts issued, etc. Exhibit 71, for example, shows 69 head of hogs, sold to two purchasers in 7 different lots, with several different owners remitted to through a shipping association; the total proceeds being $2,059.05 distributed as follows: National fund to increase meat consumption, 5¢; yard insurance, 15¢; freight, $40.25; terminal charges, 50¢; yardage, $8.28. Corn, 10 bushels at $1.30, $13.00; inspection, 20¢; commission, $15.90; total proceeds, $78.33; net proceeds to shipper, $1980.72.

EXHIBIT 84

Rate schedule recommended by witness T. W. Tomlinson:

[fol. 832] GOVERNMENT EXHIBIT No. 84

Live Stock Commission Rates Recommended by T. W. Tomlinson in Docket 143 (pending Before Packers & Stock Yards Administration) for Application at Omaha Market.

Single Ownership, Carload Lots in 36′ 7″ Cars or Less in Length

Kind	Rate
Cattle	$14.00
Calves S. D.	14.00
Calves D. D.	18.00
Hogs S. D.	12.00
Hogs D. D.	16.00
Sheep S. D.	12.00
Sheep D. D.	16.00

For cars larger than 36′ 7″ to and including 40′ inside measurement, 8 per cent additional. For cars above 40′ to and including 44′ inside measurement, 15 per cent additional.

Buying commission not to exceed the above selling schedule.

Mixed Species in Single Ownership, Car Lots

Kind	Per head	Maximum per species
Cattle	60¢	$14.00
Calves S. D.	30¢	14.00
Calves D. D.	30¢	18.00
Hogs S. D.	25¢	12.00
Hogs D. D.	25¢	16.00
Sheep S. D.	20¢	12.00
Sheep D. D.	20¢	16.00

When a car contains only cattle and calves it shall not be considered a mixed car lot.

Live Stock Driven or Hauled in

Kind	Per head
Cattle	70¢
Calves	35¢
Hogs	30¢
Sheep	25¢

Not to exceed 25 head of cattle, 50 head of calves, 60 head of hogs, 100 head of sheep or lambs, driven or hauled in by one owner shall be considered as a carload lot and carload commission rate shall apply as maximum. Above 100 and not to exceed 200 head of sheep or lambs shall be considered as a double deck carload lot and charged accordingly.

Plural Ownership, Carload Lots

When plural ownership carload lots are handled in the same manner as single ownership cars—the single ownership schedule will apply.

When plural ownership carload lots are sorted, sold or weighed for ownership, marks or brands, the following rates shall apply:

Kind	Per head
Cattle	70¢
Calves	35¢
Hogs	30¢
Sheep	25¢

When prorating is done a charge of 25¢ for each owner shall be made, with a maximum charge of $2.00 on any car.

[fol. 833] EXHIBIT 85

Statement of Profit and Loss, Certain Feeding Operations of Kent-Burke Company, 1923, 1924, and 1925

1923

Ranch	No. head fed	Net loss	Net gain
Genoa	748 hd.	.....	$2,712.10
Kent	288 hd. / 170 ylgs.	.....	1,741.94
Merchiston	594 hd. / 231 ylgs.	.....	3,872.99
Plum Creek	442 hd.	.....	4,514.08
Lee Place	402 hd. / 213 ylgs.	$3,790.86	.....
Moore Place	684 hd.	3,367.54	.....
	3,772	$7,158.40	$128,841.11
No. of hogs shipper	4,888	.....	$5,682.71

1924

Ranch	No. head fed	Net loss	Net gain
Genoa	538 hd. / 328 ylgs.	$2,944.84	.....
Kent	297 hd. / 281 ylgs.	2,642.96	.....
Merchiston	444 hd. / 201 ylgs.	960.94	.....
Plum Creek	372	.....	$1,643.95
Lee Place	252 hd. / 272 hd.	.....	737.40
Moore Place	437 hd.	2,260.14	.....
	3,476	$8,808.88	$2,381.35
No. of hogs shipped	6,184	2,381.35	
		$6,427.53	

[fol. 834]

1925

Ranch	No. head fed	Net loss	Net gain
Genoa	126 hd. 172 ylgs.	$2,346.15	.....
Kent	112 hd. 138 ylgs.	1,875.75	.....
Merchiston	208 hd. 282 ylgs.	614.67	.....
Plum Creek	225 hd.	.....	$113.63
Lee Place	61 hd. 306 ylgs.	1,180.06	.....
Moore Place	216 hd. 169 ylgs.	.....	325.62
	2,015	$6,016.63	$439.25
No. of hogs shipped.....	4,888	439.25	
		$5,577.38	

Exhibit 86

Statement of Duties of Owners Who do not Draw Salaries at South Omaha, Nebraska, Year Ended December 31, 1925

Firm No.

5 A—Cattle Salesman.
B—Hog "

11 A—Hog Salesman and Office, 50% of time to each.
B—Cattle " " " " " " " "

16 A—Hog Salesman.
B—Cattle Salesman.

17 A—Cattle Salesman and Office, 50% of time to each.

18 A—Branch.

23 A—Branch.

31 A—Branch.

26 A—50% of time cattle salesman.
50% " " hog "

29 A—Hog Salesman 50% of time.
Office " 50% " "

32 A—Cattle Salesman.
B— " " & Office, 50% of time to each.

33 A—Cattle Salesman, Manager and Solicitor.
90% of time Cattle Salesman, 10% manager and solicitor.

[fol. 835]

Firm No.	
34	Branch.
36	A—Buys and Sells Sheep, 50% of time to each.
41	A—Cattle Salesman.
42	A—Cattle Salesman.
	B— " "
	C—Hog "
55	A—Sheep Salesman 90% of time.
	Office 10% of time.
3	A—Hog Salesman.

EXHIBIT 87

Tabulation of branded cattle received by firms Nos. 13 and 18 during the period August 1-November 30, 1925. Tabulation includes detailed figures for each firm and each month, the date of the account sale, the number of cars, number of head, number of owners, number of drafts, number of head sold to traders, order buyers and packers respectively. Results are summarized as follows:

Branded Cattle Received by Firms #13 and 18, So. Omaha, Nebraska, August 1 to November 30, 1925

Summary of Tabulations

	Firm No. 13	Firm No. 18	Total
No. Cars	525	879	1,404
No. Head	14,749	19,263	34,012
No. Owners	672	675	1,347
No. Drafts	2,854	2,871	5,725
No. Head Sold to Traders	5,509	8,302	13,811
No. Head Sold to Order Buyers	3,989	2,465	6,454
No. Head Sold to Packers	5,251	8,496	13,747

EXHIBIT 88

Study of costs and methods of fattening beef cattle in the corn belt, 1919-1923, published by the Department of

Agriculture. Contains discussion, statistical tables, and charts as to cost per 100 lbs. gain of cattle of various initial weights on various feeds and handled under various practices; studies of the effect of various rations, various modes of handling, etc.

[fol. 836] EXHIBIT 89

Economic study of the costs and methods of range cattle production on 41 ranches in Colorado, 1922, published by the United States Department of Agriculture. On page 3 of exhibit appears the following:

"Cost of Production

The costs of production differ widely with the locality and with the system of management, both in the same year and from year to year. There is a marked variation from ranch to ranch as the following cost figures show. As an illustration the five ranch herds shown below with no perceptible difference in range, feed, water facilities, quality of animals or animal losses show large differences in production cost because one ranch had a calf crop of 70 per cent while an adjoining ranch had a calf crop of only 36 per cent. Table I shows five ranches all adjoining each other with line fences practically touching.

Table I. Variation in Cost of Producing Calves on Five Adjoining Ranches in Colorado, 1922

Ranch number	Calf crop	Gross cost per calf
7	70%	32.50
2	67%	39.78
14	56%	52.02
40	51%	45.11
13	36%	66.12

These wide differences in costs are caused mostly by methods of management of the breeding herd."

On page 6 appears the following:

"In general, the size of the calf crop, the winter feed bill and the labor cost on each ranch are the factors having the most influence upon the cost of calf production. Upon the 17 prairie ranches studied the cost per calf varied from $19.46 to $82.69 per calf. Upon the 24 mountain ranches the cost of a weaned calf caried from $28.66 to $66.12 a head."

[fol. 837] EXHIBIT 90

Economic study of costs and methods of range cattle production in north central Texas, 15 ranches in 1920, 1921 and 1922, and 40 ranches in 1923, published by the United States Department of Agriculture.

EXHIBIT 91

"Farm Animals and Their Products"; booklet published by the United States Department of Agriculture, containing miscellaneous statistics as to production and distribution of live stock, dairy products, wool, poultry, etc., during the year 1923, with cumulative tables for that and prior years.

EXHIBIT 91 (a to r)

Copies of the monthly supplement to "Crops and Markets," published by the United States Department of Agriculture, January, 1925—February, 1926, containing statistical data as to live stock, meat production receipts and disposition of live stock at various public stock yards etc.

EXHIBIT 92

Costs and methods of carrying cattle on National Forest Ranges in Colorado, Wyoming, Montana, Utah, Idaho, Ore-

gon, Washington, California and South Dakota, in 1924, published by the United States Department of Agriculture, January, 1926.

EXHIBIT 93

Costs of marketing live stock in the corn belt 1921, published by the United States Department of Agriculture, February, 1923. Tabulated from data collected from 237 cooperative livestock shipping associations. Pages 2 and 3 contain the following:

"Terminal Costs of Marketing Hogs, 1921

For two hundred cooperative livestock shipping associations in the central corn belt, practically one-third of the total costs of marketing hogs in 1921 was incurred in the terminal markets. It is important therefore, that the shipper should have knowledge of costs in these terminal markets. The table below shows the three most important terminal costs for live stock marketed through commission agents in a number of the important markets.

Principal Terminal Costs of Marketing Hogs, 1921

Cents per 1,000 lbs. (Home Weight) (Straight Shipments)

Market	Commission			Yardage			Feed			Com., yard & feed combined		
	Avg.	Low	High	Avg.	Low	High	Avg.	Low	High	Avg.	Low	High
Chicago	98.7	85.1	112.5	44.8	36.2	56.2	34.1	21.3	44.4	117.6	153.8	205.4
St. Paul.....	82.6	75.4	102.4	42.1	36.3	53.0	50.2	33.0	70.0	174.9	160.1	208.8
St. Joe.....	88.6	77.6	119.3	48.7	41.8	56.6	42.1	34.6	70.2	179.4	156.5	240.3
Kans. City...	83.6	75.7	103.7	50.5	37.8	58.5	37.8	29.3	57.1	171.9	161.4	218.7
Omaha	86.8	69.7	113.3	44.0	37.4	45.7	28.9	19.5	35.0	159.7	132.8	181.0
Sioux Falls..	93.8	80.6	108.8	47.7	42.3	50.9	38.7	28.8	45.7	180.2	163.2	187.9
Buffalo	77.7	68.3	85.2	58.6	51.7	105.0	76.4	58.9	102.6	212.7	201.4	259.0
Pittsburgh ..	93.8	83.3	112.1	58.5	42.3	64.8	71.1	23.7	106.5	223.4	178.1	262.5

*Averages are of associations shipping to the given market, weighted on the volume of business. Low and High figures are low cost associations and high cost associations—not shipments. Exceptional items omitted.

Commission (on shipments of hogs, unmixed with other species of livestock) varied from 68 cents to $1.19 per 1,000 pounds. The high cost association had a cost more than twice that of the low cost association. Since commission is usually charged on a per car basis, some of the variations in costs as between different markets is due principally to a difference in the weight of the car load, rather than to actual variations in the rates at the various markets. This emphasizes, however, the importance of full car loads. Savings achieved in this manner may possibly offset the losses due to crowding. Proper loading also reduces unit freight costs."

[fol. 839] EXHIBIT 94

Cost of marketing cattle in the corn belt, 1921, published by the United States Department of Agriculture, March, 1923. Tabulated from data collected from 237 cooperative livestock shipping associations. Divides marketing cost into (1) terminal costs; (2) freight costs; (3) losses in transit such as crippling, killing or shrinkage in weight; (4) local expenses incurred in loading and shipping stock. Terminal costs averaged about $1.50 per 1,000 lbs. shipped; freight cost about $3.50 per 1,000 lbs. shipped; losses through crippling and killing about 50¢ on an animal selling for around $70, and shrinkage in weight 3½% of the weight loaded; local expense approximately 50¢ per 1,000 lbs. shipped. Terminal costs are tabulated as follows:

Principal Terminal Costs of Marketing Cattle, 1921

Cents per 1,000 lbs. (Home Weight) (Straight Shipments)

Market	Commission			Yardage			Feed			Com., ydge., feed, combined		
	Avg.	Low	High	Avg.	Low	High	Avg.	Low	High	Avg.	Low	High
Pittsburgh ..	104.4	88.8	119.4	31.0	22.8	35.5	75.8	51.8	102.1	211.1	165.5	256.8
Buffalo	86.0	78.3	109.2	34.0	26.2	89.0	44.2	24.1	63.7	170.4	144.2	192.1
E. St. Louis .	99.7	93.7	138.9	46.3	42.6	53.4	19.2	11.7	21.5	165.2	157.9	199.6
Cleveland ...	86.9	86.2	106.4	31.2	30.8	52.0	43.1	42.4	72.6	161.2	159.5	231.0
Sioux Falls..	92.5	82.1	110.1	41.0	37.4	56.8	26.7	16.6	48.1	160.1	142.2	214.9
Kansas City.	90.6	80.2	98.4	40.2	37.4	43.8	20.7	14.0	31.3	154.4	131.7	173.6
Chicago	98.1	74.0	118.7	36.8	29.0	45.6	18.5	8.4	36.1	153.2	121.4	197.0
Sioux City...	84.3	77.2	104.7	41.4	40.1	44.1	16.0	12.9	19.7	141.6	136.7	161.7
Milwaukee ..	63.0	53.9	64.4	23.5	21.2	25.3	25.3	16.2	28.8	111.7	92.8	113.0

*Averages are of associations shipping to the given market, weighted on the volume shipped. Low and High figures are low cost associations and high cost associations—not shipments. Exceptional items omitted.

[fol. 840] EXHIBIT 95

Cost of marketing sheep in the corn belt, 1921, published by the United States Department of Agriculture. Tabulated on same basis as Exhibits 93 and 94. Terminal costs averaged $2.60 per 1000 lbs; freight about $4.25 per 1000 lbs; local expenses estimated at $1.65 per 1000 lbs; between 1/10 and 2/10 of 1% were crippled in shipment and between 4/10 and 5/10 of 1% were killed, while shrinkage in weight amounted to an average of approximately 8% of the weight shipped. The average terminal costs were, commission, $1.60 per 1000 lbs; yardage, 85¢ per 1000 lbs; feed 6¢ per 1000 lbs; charge by commission agents for prorating expenses and receipts among owners, 10¢ per 1000 lbs. Commission charges varied from market to market from a low of 105.0¢ per 1000 lbs at St. Joseph, to a high of 295.0¢ per 1000 lbs. at Kansas City; while the average varied between 125.1¢ at Buffalo to 214.6¢ per 1000 lbs. at Kansas City; the terminal markets being considered Chicago, East St. Louis, Kansas City, Sioux City, Buffalo and St. Joseph. As to commission the exhibit also states:

"Commission: As shown by the table on page 5, Commission charges on sheep are largely levied on a head or car basis, rather than upon a weight basis, as we have shown the costs for the sake of comparison. The cost per unit of weight, therefore, in any given market will vary inversely with the average weight of the animals and the average weight shipped in the car. In a like manner the difference in Commission costs between markets will be partly explained by these factors. Obviously, differences in published rates will also help to explain the differences in cost between markets. (See page 5) For example, the graph on page 3 indicates that the commission costs in Kansas City and St. Joseph are considerably higher than for the other markets. Referring to the table on page 5, we note that in these two markets the average weights per car are lowest. Similarly the low commission costs in Buffalo and Sioux City are explained by the larger loads. The table on page 4, shows the wide range in commission costs within each single market. In Chicago, for example, the cost to the association shipping at the lowest average

cost was $1.18 per 1000 lbs. The high association cost was $2.08 per 1000 lbs. A similar variation is apparent for the other markets."

EXHIBIT 96

Cost of production of range sheep in the San Luis Valley, [fol. 841] Colorado, published by the United States Department of Agriculture and the Colorado Agricultural Experiment Station, January 7, 1926. Contains a discussion of methods of handling various breeds, with statistics as to production and operating costs.

EXHIBIT 97

Sales data for 6 weeks of 1925 of firms 7, 23, 40 and 58, with segregations to show numbers of single deck cars, numbers of double deck cars, mixed species in cars, drive-in consignments, yard sales, number of head, number of buyers, number of owners, weights, numbers of drafts, gross proceeds, expenses, etc.

EXHIBIT 98

Receipts by cars of the several respondents for the several years, 1921 to 1925, inclusive, segregated into cattle, hogs and sheep.

EXHIBIT 99

Transcript of oral evidence before Secretary, heretofore summarized.

EXHIBITS 100 AND 100a

Work sheets used in preparing Exhibits 7-65.

EXHIBIT 101

Volume reports used in preparation of statistics as to volume, constituting part of Exhibits 7-65.

EXHIBIT 102

Computation submitted to Secretary of Agriculture on oral argument before him, showing comparative receipts, first nine months of 1926 and corresponding months of 1925.

RESPONDENTS' EXHIBIT A

Arbitration award of 1923. Recommends a schedule of rates identical with Tariff No. 1, attached to the petition as an exhibit thereto and reproduced in the transcript thereof.

WOODS BROS. EXHIBIT 1

Order of suspension of Tariff No. 2 and notice of hearing. Identical with order served upon all respondents, attached to the petition as an exhibit thereto and reproduced in the transcript thereof.

[fol. 842] ADDITIONAL EVIDENCE

The Special Master thereupon received and the Court considered the following evidence in addition to that received by the Secretary of Agriculture upon the hearing before him:

Plaintiffs offered evidence as follows:

JOHN M. GILCHRIST, Omaha, Nebraska, testified:

I am a certified public accountant, head of the firm John M. Gilchrist Company, have been so engaged 27 years. At the request of the petitioners, I assigned members of my

force to make an audit of their business covering the period of 1925. Messrs. James H. Ross, Anderson, Hillmer and Condon handled the work. They consulted with me from time to time. I saw and approved their results. I signed Exhibit 103 at its completion. It is a statement reflecting the volume of business handled individually by 56 commission firms at Omaha during 1925 and shows the total cars of live stock handled, the sale and purchase value thereof and the commissions realized by applying the Secretary of Agriculture's order of November 19, 1926. Exhibit 104 is a statement reflecting the costs of handling live stock in 1925. Classified as salaries,—selling and buying, yard salaries, other salaries, advertising, travel and entertainment, exchange assessments and dues, other expenses, other deductions, additional rent, interest on investment. Exhibit 105 shows the result to each of the 56 firms when the adjusted costs of handling live stock for 1925 are deducted from the commissions realized under the Secretary's order of November 19, 1926.

James H. Ross, Omaha, Nebraska: Certified public accountant, with John M. Gilchrist Company, and in charge of the audits of petitioners' business for the period 1925. In taking the accounting we first had Exhibits 7-65 inclusive, the so-called blue audits prepared by or under the supervision of Mr. Shortell, the auditor representing the Government in these proceedings. We also had a copy of the Secretary's order of November 19, 1926, from which we ascertained the rates to be charged and certain other data. Exhibit 103, reflecting the volume of business handled individually by 56 commission firms at Omaha, was so prepared. Exhibit 103 shows the volume measured by total cars [fol. 843] handled and the receipts of sale and purchase, and the commissions under the Secretary's order; also the commission under the Secretary's order excluding the increase in dealers and speculators. By that I mean that the Secretary's order authorized an increase in the commission charged dealers and speculators and Exhibit 103 shows the application of the Secretary's order including those figures and also excluding it and including the com-

missions actually received from that class of business in 1925. The amount of live stock handled is shown in carloads, ascertained by adding to the straight cars and mixed cars of live stock received a conversion of drive-ins, truck-ins and sales to dealers and speculators on a basis of 27 head of cattle, 70 head of hogs, 225 head of sheep and 40 head of calves to a car. This was done to get the business down to a carload unit. It does not, however, affect the revenue that would have been produced. In ascertaining how much revenue would be derived from the business, we used the actual account of sales. The carload equivalents were taken from the Secretary's order, page 16, except that for calves which was obtained by consulting commission men.

The next column in Exhibit 103 shows the sale and purchase value of cars handled, which was furnished us by the Secretary of the Omaha Live Stock Exchange. And the 3rd column shows commissions under the Secretary's order. The 56 firms were requested to abstract their sales on a form showing straight cars, mixed cars, drive-ins and truck-ins and sales to dealers and speculators; also to separate their purchases. The form called for the number of head, the number of cars in case of carload shipments, the number of drafts, and the amount of the purchase or sale. We then took the Secretary's buying and selling schedule; there were certain parts of it which were not clear and we consulted with Messrs. Stryker and Tagg and their associates for a practical application of it and after they had told us what they thought the Secretary of Agriculture might mean, the tariff was so applied to each individual account of sales. If the audit turned in by the commission firms did not agree with the blue audit reports made by the Government's accountants, that is, if on adding up the commissions actually received in 1925 as shown in the data furnished us, the same showed a serious discrepancy as compared with the total commissions detailed in the blue audits, then we went to the individual firm and checked the account of sales back in detail. In most cases they agreed with the commissions shown in the Government audits. In addition, we could check errors in the head units, that is, the quantity of live stock handled, by looking across at the commissions received and if it seemed to be wrong, it would be neces-

sary to refer back to the firms' account of sales. Every effort was made to check up with the Government's audits. [fol. 844] By these methods we ascertained accurately what the business of these firms in 1925 would have produced in gross revenue if the Secretary's order had been in effect all of that year. That is shown in the third column, subject to the interpretation aforesaid. The tariff was not clear in a good many cases. For instance, in regard to straight cars, it says $15.00 per car. We were not clear whether that was the maximum or the minimum. For instance, suppose a man shipped in one head of livestock in a car, could he be charged $15.00, or if he shipped in 25 or 30 head, is that the maximum? The tariff does not state. We also treated cattle and calves as mixed cars. I talked one day with Mr. Shortell about the question whether cattle and calves constituted a straight car or a mixed car and I believe I was told the latter by him. Again, the tariff provided three drafts should be allowed to a car, and the former one said three drafts allowed to a deck. We worked on the basis of three drafts to the car as prescribed in the tariff. Again, "Is there a minimum or maximum commission on mixed cars?" We used the particular head rate of each species so long as it did not exceed the carload rate in each species. Suppose you had cattle and calves in a car and the car rate is $15.00 for cattle and $15.00 for calves; we would take the head rate until it reached $15.00 on the cattle and then the head rate until it reached $15.00 on the calves. That is quite an irregular problem because there would not ordinarily be a number of head sufficient to reach the maximum on each species, but that is the principle. Again, "Is there a maximum charge on the number of statements?" We took the position that as many statements as were made out could be charged for. Again, "Is there no maximum charge for sale of any class of livestock except sheep?" The old tariff had a maximum on cattle and hogs. The Secretary's order prescribes such a maximum for sheep but not for the other species where drive-ins and truck-ins are concerned. Again, "What is the application of the Secretary's order where stock is shipped in in a plurally owned car and sold by different firms at owner's request?" We held that the carload rate governs. That is, if a car were shipped in and a number of head were taken out and

turned over to another firm to sell, we applied the carload rate as a maximum, but the party who got the few head out of the car would be on the drive-in and truck-in rate and subtract that from the carload rate so that the total for the entire car would not exceed the carload rate.

Whenever we encountered such ambiguity, we would consult practical commission men who would tell us what they thought the Secretary meant and also furnish us their practical knowledge. Whether these variations would make any [fol. 845] difference in the revenue received, would depend on the loading. For instance, with reference to whether cattle and calves constitute a straight or a mixed carload, if the former, there would be no variation in the revenue, but if the latter, if there were, for comparison, 15 cattle and 8 calves in the car, the commission would be 60¢ a head for the cattle, or $9.00, and 30¢ for the calves, or $2.40, or $11.40, whereas, on the straight carload rate the commission would be $15.00; but if the car were loaded heavy and had 25 cattle and 3 calves, the commission would be $15.00 for the 25 cattle and 90¢ for the 3 calves, or $15.90. Whether our construction would increase or decrease the revenue, in other words, would depend on the loading.

Exhibit 104 is a statement of the costs of handling livestock in 1925. Exhibits 7-65 contained statements of assets and liabilities as of December 31, 1925, profit and loss statements for that year, and statements of salaries received by both owner and employee salesmen segregated as to their duties,—hog salesmen, cattle salesmen, etc., also statement of net worth. The profit and loss statements incorporate certain expenses which we have condensed as follows: salaries, selling and buying; yard salaries; other salaries; advertising; travel and entertainment; exchange dues and assessments; other expenses; other deductions; additional rent, and interest on investment. The amounts set up as salaries for owners sometimes are salaries and sometimes drawing accounts. Exhibits 7-65 include owners' salaries in profit and loss statements only if they were set up on the books.

Eleven firms out of the 56 did not set them up; hence, the operations for the year of these firms were not charged with these expenses. The Secretary's order recited that

$5,000 as to cattle and sheep and $4,000 as to hogs is considered a fair yearly salary of a salesman in these respective lines, and we have eliminated all owners' salaries as detailed in Exhibits 7-65 and have applied salaries for resident owners on the basis of $5,000 per annum for a cattle or sheep salesman or buyer, and $4,000 per annum for a hog salesman or buyer. In preparing Exhibit 104, employees' salaries were left as shown by the books, the same being a matter of contract.

We eliminated all clearance commissions, paid by nonmembers for the privilege of clearing through members; also life insurance premiums, exchange fines and chauffeurs' salaries. In addition to the costs detailed in Exhibits 7-65, we have added additional rent of $52,628.40 (as contrasted [fol. 846] with $54,000 allowed on page 18 of the Secretary's report and order), which figure we arrived at by allocating the increased rent per firm on the same ratio that the rent which was paid in 1925 bears to the total rent paid by the 56 firms also $50,405.52, interest on investment at 7% of net worth on December 31, 1925, after deducting for the difference in salaries and expenses.

Under selling and buying salaries we have included and applied salaries for the owners as above stated and actual salaries for employees. Other columns are indicated by their totals; the heading "Other Expenses," including insurance depreciation, the original rent paid, etc. With these explanations and corrections, Exhibit 104 accurately shows the expenses of each firm named for conducting its business during 1925.

Exhibit 105 reflects the result to each of the 56 firms when the adjusted costs of handling live stock are deducted from the commissions under the Secretary's order; that is, it is the result of subtracting the ascertained expenses in Exhibit 104 from the ascertained income shown in Exhibit 103. It further shows the result to each firm, excluding the portion of the tariff applicable to dealers and speculators and including the commissions actually received under the tariff in effect in 1925. (Counsel's explanation that the Secretary's tariff authorizes an increase in the rate heretofore charged traders and speculators, but that petitioners expect to show that it is not possible to obtain such extra income.)

The black figures in Exhibit 105 show the companies which would have received revenue in excess of the costs of handling under the Secretary's order applied to 1925. The red figures show the companies whose costs would be in excess of the revenue received under such order. The same is true in the 6th column; so that in Exhibit 105 all of the figures except those appearing in black, indicate the amount of the loss which the respective firms would have sustained in 1925 if the Secretary's order were applied to the transactions, and the costs were as indicated. On the 2nd sheet of Exhibit 105, the total loss, $168,110.50 is the net sum of the loss of the different firms who would have losses under that application, and $114,821.90, the total gains of the firms showing gains. The net loss is shown at the bottom of the column. With the commission on seconds eliminated, the total loss would be $196,077.41.

In Schedule 2, Exhibit 104, depreciation is included under "Other Expenses." We took the same amount as is [fol. 847] detailed in the Government's audit, which, in turn, was the amount set up on the commission books themselves. Where a firm in its accounting set up depreciation it was reflected in Exhibits 7-65 and in Exhibit 104; where no depreciation was set up on the books of a firm, the item was not so reflected. I prepared a separate schedule showing additional depreciation, Exhibit 106, the first 8 columns of which show the details of the depreciation shown on the books and in the Government's audits and the next four columns of which show the depreciation not set up on the books or allowed in the Government's audits. The basis used was 10% for furniture and fixtures; 10% for horses and 25% for automobiles. The result is depreciation $6,194.92 in addition to the $5,661.84 taken in Exhibits 7-65, separated for each individual firm. In the case of a firm showing a loss in Exhibit 105, the amount of this depreciation would be added to the loss. Thirty-three firms out of fifty-six did not take depreciation, which is always a constant and fixed expense. The rates of depreciation used by us are fair.

We also prepared a separate schedule, Exhibit 107, showing additional live stock exchange memberships, not set up on the books of some of the firms, and not reflected or allowed for in the Government's audits, Exhibits 7-65, nor

included in Exhibits 103, 104 and 105. Exhibit 107 shows the details of all memberships, including those set up and those not set up, the parties to whom they were issued, and their value on the basis of $4,000 per membership which was a fair value for 1925. Exhibit 107 shows an additional item of invested capital on this account of $312,000; that is, there was that much actual invested capital not reflected in the Government's audits. That additional capital, however, was not reflected in the costs shown in Exhibits 103, 104 and 105, though both it and interest on this additional capital could and should be added to the costs of the respective firms.

Exhibit 108 shows the ratio of commissions and net results to gross receipts, for 1925, showing the value of all live stock sold and bought, the actual commissions received in 1925 by each firm, the adjusted expense shown in Exhibit 104, the net receipts, the ratio of gross commissions to value of live stock handled, and the ratio of net receipts to such value. The average ratio of gross commissions to value of live stock handled in 1925 was .9; the ratio of net returns to value, of the firms which had income in excess of their expenses was ½ of 1/10 of 1%, which last percentage was computed without reference to the firms which [fol. 848] had losses. I made a similar computation (Exhibit 109) on the same volume of business, applying the Secretary's schedule of charges. This shows a ratio of gross commissions to value of live stock handled of 8/10 of 1%. Exhibit 110 shows the ratio of net results of total value of live stock handled, for the year 1925, applying the Secretary's order on the basis, both of a full commission to traders and speculators and of the present commission for that type of business. It shows an average ratio, for the firms showing gains, of 9/100 of 1% and 7/100 of 1% respectively, on the two bases.

Exhibit 111 shows the total cost per car of handling live stock. It shows the number of cars handled by each firm on the conversion basis above referred to; the adjusted cost of handling as reflected by Exhibit 104; the cost per car; the total commission, under the Secretary's order, on both bases heretofore referred to; the average commission per

car; and the net results after subtracting the costs per car from the commission per car received. The general average of the cost per car is $15.94. The general average commission per car on the first basis is $15.52, and on the second basis (with the increase on seconds eliminated) $15.03. The averages shown in the last two columns of Exhibit 111 take into account the instances where there was a profit. Taking the 56 firms as an average, they lost 42¢ per car on the first basis and 91¢ per car on the second.

Exhibits 103-111 inclusive offered in evidence. Received over the objection of defendants, as to exhibits 103, 104, 105, 106, 107, 110 and 111, that the same are irrelevant, the actual costs of the plaintiffs not being the measure of a reasonable rate and the said exhibits not tending to show any error in the Secretary's computation of reasonable costs, or that the rate fixed would not allow a reasonable profit over reasonable costs, that said exhibits are incompetent, in that they are based in part on evidence not submitted to the Secretary, which by the exercise of reasonable caution, might have been submitted at the hearing called by him; that the exhibits referred to items, such as equipment, not shown on the books, depreciation not shown in the audits, exchange memberships and other assets not shown upon the books, which were not included in the Government audits, Exhibits 7-65, copies of which were served upon all the petitioners at the time of the hearing before the Secretary, and the information concerning which petitioners had a full opportunity to furnish at said hearing; [fol. 849] also as to Exhibit 108, that the proportion which a rate bears to the value of a commodity handled is irrelevant to the question of the reasonableness of the rate.

Cross-examination:

In compiling my audit I obtained an abstract of sales from the commission firms and based my audit on it, except where discrepancies were shown in the Government's figures, in which case I went to the account sales and general books. I found no substantial variance between my audit and that made by the Government as to commissions received. There were substantial changes in the head of live stock but nothing of any note in the commissions re-

ceived. Most of these errors we were able to reconcile by conference with Mr. Shortell. Some items which Mr. Shortell treated as other income, we have treated as a reduction of expenses. Except, however, in the matter of additional depreciation, value of equipment, etc., being the changes shown in Exhibits 103, 104 and 105, we have accepted the Government's expenses. There were no extensive or substantial differences between the two audits.

I cannot remember any specific instance of cars being received with one or two or three cows or any ridiculously small number. There were cars with less than the normal load. Where discrepancies were shown on the Government's figures, we checked them against the general ledger, checked their books of account with the account sales. If there was any difference, we went to the general ledger.

In setting up the schedule of expenses used to show the result of applying the Secretary's order, we eliminated all owners' salaries as set up on the books and applied the $5,000, $5,000 and $4,000 schedule to cattle, sheep and hog salesmen, eliminating all non-resident owners, irrespective of the amount of stock they sold. In fixing these figures we had no record whatever of the number of cars of the respective classes of stock which they had sold.

In referring to firm No. 2, referred to in the Secretary's audit, as having two owners' salaries and no employe salesmen, we assigned a salary of $5,000 to each of these owner salesmen. Assuming that the two owner salesmen sold 645 cars of cattle, or an average of 322 cars for the year, our practice was to assign these two owners a salary of $5,000 apiece on our schedule. We took the designation of the classes of stock they handled from the Government's audit reports. We assigned the $5,000, $5,000 and $4,000 salaries to owners, irrespective of the number of cars they sold.

[fol. 850] The clearance commissions which we eliminated are merely a bookkeeping service which is performed by a number of firms to clear the sales of non-resident buyers and sellers on the market. I consulted certain commission firms handling that type of business who agreed that the expenses would be about 25% of the commissions and eliminated expense on that basis. We fixed the volume simply on the authority of the firms themselves. We eliminated

the clearance commissions and also the 25% expense. We did not use any other evidence from the books of the firms in arriving at the percentage of these commissions which we deducted as expenses but relied merely on their opinion. The same clerk might be handling part of the commission business along with the clearance commission. Of course, the same clerks in many cases report the sales and the business pertaining to the different classes of live stock; we don't have a separate class of clerks to work on the sales of the respective species. Our expense classification "other expenses" takes care of the clerical end of the business for the whole business. I attempted to form no opinion or conclusion as to the proper amount of costs to be allocated to the selling of one class of live stock as against another. The clearance commission business is infinitesimal with the exception of Jackson Live Stock Company, where it amounts to around $7,000.

Additional depreciation, above that shown on the books when the Secretary's order was made, is not incorporated in any of our costs. The Government audits do not include depreciation except when shown on the books. Thirty-five or thirty-seven of the fifty-six firms have failed to incorporate such depreciation in their expenses. It is not shown on the books, but the petitioner should have taken it. We did not add it to our statement of costs but simply show it in a separate statement as an item which could have been included. We did not show that additional depreciation in arriving at our conclusions as to the results of the application of the Secretary's tariff to the 1925 business, but we did make up a separate schedule showing it as an additional item that could have been considered. Likewise, the 7% on the $312,000 additional investment in memberships is not a part of our computation of costs. Hence, there is no difference between the Government's audits and ours as far as the actual cost schedule is concerned.

In saying that depreciation is a fixed expense, I do not mean that everyone is compelled to set it up, but I do mean that it always exists. Plaintiffs are not under obligation to set it up, but if they wish to set up equitable costs, it is a [fol. 851] factor.

A check of Exhibits 108 and 109 shows, as to the proportion between the reduction in the commissions allowed

plaintiffs as the result of the Secretary's order, to the total value of gross receipts, that the actual commissions received in 1925 were $2,168,789.56, whereas, those received under the Secretary's order on the first basis would be $1,983,433.42. Exhibit 108 shows the relation of commissions to total value under the Secretary's schedule as 92/100 of 1%. The third column of Exhibit 109 shows the ratio of commissions under the Secretary's order to total value of 83/100 of 1%, or a reduction of 9/100 of 1% of gross receipts on the first basis used by us. The two bases are as per the Secretary's order and as per his order less the increase on seconds.

The discrepancy between the 56 firms shown in our audit and the 59 covered by Exhibits 7-65 is due to the fact that the American Live Stock Commission Company's books had been sent to Chicago and were not available; and McCullough Commission Company was out of business and we could not find their records; the Central Live Stock Commission Company was merged in and included with the Interstate.

Redirect examination:

The numbers used to designate firms in the Government audits were placed opposite the names of the firms to which they referred in our various schedules. The numbers missing are the ones that dropped out.

Exhibits 7-65 did not contain any data showing the amount of revenue that the Secretary's order would produce. We did not get our figures showing what that revenue would be from the blue audits. We had to get that out of the account sales. If the total amount of live stock handled, as furnished us by the different firms, corresponded with the receipts as shown in the blue audits, we assumed its correctness, if the total head looked right. If the head looked off, we went to the account sales. For example, if we had 70 head trucked or driven in and a small amount of commission, we would know immediately there was something wrong with the head. But if in all respects the report of the number of live stock checked with the figures in the blue audits, we were satisfied. We had to go back to the account sales and the books in about 90% of the cases

because of the discrepancies either in the quantity or in the money.

[fol. 852] Recross-examination:

I mean that in 90% of the cases we found the first information given us by the commission man was in some respects defective. There were several firms we took off direct where we did not have the help available, besides those we checked back.

Emery H. Anderson, Omaha: I am connected with John M. Gilchrist Company and assisted in making all of the exhibits, Exhibits 103-111 inclusive, except 104, 105 and 107. The data shown in these exhibits is correct.

Redirect examination:

Exhibit 122 is a schedule showing the income or profits of any kind received by each one of the commission men who are plaintiffs herein. Selling costs are treated on the same basis as in Exhibit 104, except that instead of using the $5,000, $5,000 and $4,000 basis, we have used actual salaries taken by the owners, putting salary or drawing account in as part of the cost of the business in order to ascertain profits and adding same to the individual's income in reaching final results. Exhibit 122, therefore, shows exactly what each member, owner or stockholder got out of the business, in either salary, drawing account or profits.

Interest on investment was not set up as an expense and therefore increased the income of the owner; hence the figures in the third column of figures show what each owner got as salary, drawing account, profits and interest on investments. Drawing accounts were not treated separately and if an owner drew within the earnings, we merely treated it as the way of getting his earnings. The red figures near the bottom of the third page in exhibit 122 indicate that the man there named sustained a loss, getting nothing by way of either salary, profits or interest on investments. Results are summarized on page 4 of Exhibit 122, showing two owners who received over $20,000; 1 receiving from $19,000 to $20,000; 3 receiving from $16,000

to $17,000; 1 between $15,000 to $16,000; 2 between $14,000 and $15,000; 4 between $12,000 and $13,000; 4 between $11,000 and $12,000; 2 between $10,000 and $11,000; 2 between $9,000 and $10,000; 3 between $8,000 and $9,000; 4 between $7,000 and $8,000; 13 between $6,000 and $7,000; 16 between $5,000 and $6,000; 19 between $4,000 and $5,000; 15 between $3,000 and $4,000; 8 between $2,000 and $3,000; 9 between $1,000 and $2,000; 9 less than $1,000; and 10 who suffered a loss.

Of 127 owners, there were 28 drawing amounts between $7,000 and $20,000, with an average income of $12,493.26. [fol. 853] There were 63 drawing between $4,000 and $7,000, with an average income of $4,832.63. There were 26 ranging from $3,000 down, with an average income of $1,508.37. There were 10 who suffered an average loss of $1,125.12. Schedule 122 was made up from the business in 1925 and is based on Tariff No. 1, actually used as shown by the books of the firms during that year. Exhibit 122 received without objection.

Exhibit 123 is a similar computation on the business of 1925, applying the Secretary's schedule with the increase in the rate to dealers and speculators authorized by the Secretary and treating expense items the same as in Exhibit 122. That is, I showed actual salaries which owners allowed themselves and carried the same into the amounts which they would have received from the business together with the profit, if any, from the whole business, and making no deduction for interest on investment. The red figures on the third page opposite the names of the owners represent each such owner's loss. The 4th page summarizes results and shows that there were two owners who received between $15,000 and $16,000; one owner who received between $14,000 and $15,000; two owners who received between $13,000 and $14,000; two owners who received between $12,000 and $13,000; three owners who received between $11,000 and $12,000; two owners who received between $10,000 and $11,000; one who received between $9,000 and $10,000; five who received between $8,000 and $9,000; six between $7,000 and $8,000; nine between $6,000 and $7,000; eleven between $5,000 and $6,000; twelve between $4,000 and $5,000; twenty between $3,000 and $4,000; thirteen between $2,000 and $3,000; fifteen between $1,000

and $2,000; and ten less than a thousand dollars. Thirteen suffered a loss.

One Hundred Three of One Hundred Twenty-seven either suffered a loss or would receive less than $5,000 for their services, profit and interest on investment. Twenty-four owners receiving from $7,000 up, had an average income of $10,408.50; fifty-two between $3,000 and $7,000 had an average income of $4,644.45; thirty-eight receiving less than $3,000, had an average income of $1,573.57; thirteen had an average loss of $1,619.81. Exhibit 123 received with our objection.

Exhibit 123-a shows results on the same basis as Exhibit 123, deducting from the net profits of each owner the amount of interest on investment and the difference between the Secretary's order and the rates actually charged, at the present time, dealers and speculators. Ob- [fol. 854] jection by the Government to Exhibits 123 and 123-a for the reason that they are based on actual expense and make no attempt to ascertain reasonable costs overruled; exception.

ALOYSIUS CONDON, Omaha: Employee of John M. Gilchrist Company; participated in making the audits testified to by witness Ross, especially exhibits 110, 111 and 103. The results there shown reflect the condition of the books.

C. L. HILMER, Omaha: Certified public accountant with John M. Gilchrist Company; took part in preparing Exhibits 103-111, and especially 104, 105 and 106, the work in which is accurate.

Petitioners offered in evidence Exhibits 112, 113, 114, 115 and 116, being respectively copies of the schedule of live stock commission rates and charges in effect January, 1926 and still in effect in January, 1926 and still in effect at Chicago, Sioux City, Denver, St. Joseph and Kansas City. Received over defendants' objections that rates at points other than Omaha are irrelevant to question of the reasonableness of the rates at Omaha and that, since it is physically impossible to fix the rates on all markets at one

time, the fact that the Secretary in exercising the power of rate fixation delegated to him, started at one place has no relationship to the reasonableness of the rates fixed at that place.

Petitioners also offered in evidence Exhibit 117, being a letter and attached exhibit addressed to the Attorney General of the United States January 10, 1927 by the Secretary of Agriculture, containing an estimate of the reduction in commissions of the petitioners based on the 1925 volume of business, by a comparison of the commissions received under Tariff No. 2, and the tariff contained in the Secretary's order of November 19, 1926, showing a total reduction of $341,093.00. Received over defendants' objection that the figures in the said exhibit pertain only to incoming shipments and that the amount of the reduction is immaterial, the question being whether the rate fixed is sufficient.

A. F. STRYKER: Engaged in the live stock commission business since 1890; Secretary and Traffic Manager of the Omaha Live Stock Exchange since 1906. The services rendered directly by the commission merchant to his customers are, as stated in my testimony before the Secretary, similar to that rendered by a doctor or lawyer to his pa- [fol. 855] tient or client. Shippers consult with their commission man as to the breed and number of live stock to be handled on a given piece of ground; the price to be paid; the age of live stock; the length of time the live stock should be fed; the kind of feed to be used; whether, and when, live stock shall go onto pasture or into the dry lot. The commission man keeps his customers constantly advised of market conditions, through a daily market paper for which the commission merchant pays, through the monthly, semi-monthly and weekly market papers; by telephone and telegraph as to violent fluctuations. The shipper is guided by his commission firm as to the date he shall be on the market. When live stock is finally received at the market the commission man exercises his utmost endeavor to obtain for his customer the last possible cent, using his best judgment, and trying out one buyer or all of the buyers on the market, having as his sole object, net

returns for his patron. Deep and broad personal friendships exist between market patrons and their commission merchants. These friendships extend to the families of both, and take in even such personal matters as helping the shipper's wife to shop, or going with the shipper to execute commissions for his family. Shippers have told me that their best friends are the commission men; and the personal relationship between them should not be measured in dollars and is close, confidential, intimate and valued by both parties. The commission man not only sells for his patrons, he also buys live stock to be sent to their feed lots, exercising his best judgment in its selection, with or without the customer's presence, buying the stock at the lowest possible price, acting solely in his patron's interest, the spirit surrounding the business being one of service and honor. I am impressed with the fact that our commission men seem to do more for their patrons, and represent them more fully than in the case of any relationship other than the professional ones above referred to.

After live stock leaves the yards, in the case of carload shipments, it is set at the unloading chutes of the yard company. Much of the live stock is yarded by the commission firm's employees from the unloading chutes to the pens in the respective divisions of the yards, especially in handling cattle and hogs. After the stock are yarded, hay or other feed is ordered from the yard company. The cattle are sorted. From a carload of 25 cattle there may be sorted 6 or 8 different classes—fat steers, prime fat steers, medium fat steers, feeders steers, prime fat cows, medium [fol. 856] fat cows, cutter or canner cows, cows of the cheaper grade, bulls, springer cows and colves. Each one of these different classes must be sold to the highest possible bidder. The average house has salesmen for steers and cows. Some of them have feeder salesmen; others salesmen for the odds and ends, bulls, calves, cripples, etc. One car may require the selling ability or sales service of three or four persons.

After sale and the stock has been fed and watered, it is taken to the scales of the yard company and there weighed to the purchaser. The commission firm remains responsible until the stock is placed on the scales for weighing

when possession passes to the yard company and title to the purchaser.

In the office tickets are made by the yard company for each draft weighed. These tickets show the pen from which weighed, the number of species, weight, name of commission firm and party to whom weighed. The salesman of each different lot marks on the ticket the price at which sold. The commission firm's office force assembles these tickets so that all covering a given shipment are together and enters them upon an account sales, showing the name of the shipper, town from which shipped, railroad which transported them, mail address of the shipper, if different from the shipping point, car number in which transported, number of head in the different classes as assorted, sold and weighed, weight of each different lot, price and extension of gross selling price; also freight, feed, yardage and other charges. Gross proceeds less these charges are sent to the shipper, sent to his bank, applied on mortgages, or otherwise disposed of according to circumstances.

Meanwhile, office employees have billed the purchasers for the purchase price, which is deposited in the bank, or in some cases the shipper may have received a draft for his proceeds and have left the yards before the purchase price is received. Every member firm at Omaha is bonded to the Secretary of the Exchange as Trustee, from a minimum of $5,000 up to almost $50,000. In 30 years, no shipper at Omaha has ever lost a dollar because of default. It is only fair to suggest that that record stands out as contrasted with almost any other line of business.

No commission man, within my knowledge, has ever accumulated weath directly from the commission business. [fol. 857] It just is not done.

The reverse of the above steps are taken where commission firms buy live stock for shipment to the country, except that they do their best to buy at the lowest possible price, billing the purchaser after stock has been purchased, the commission firm remaining responsible until the stock is ordered out and turned over to the yard company for loading.

The petitioner firms function through the Omaha Live Stock Exchange, a purely voluntary association composed

of most of the commission men and traders on the market. Its objects are stated in Rule 3 as follows:

"The objects of this Association are: To maintain a commercial exchange; not for pecuniary gain or profit, but to promote uniformity in the customs and usages of members; to inculcate principles of justice and equity in trade; to enforce correct and high moral principles in the transaction of business; to inspire confidence in the methods and integrity of its members; to facilitate the speedy adjustment of business disputes; to acquire and to disseminate valuable commercial and economic information; and generally to secure to its members and patrons the benefits of co-operation in the furtherance of their legitimate pursuits."

The Omaha market opened August, 1884. There were few commission men until 1889, when the Exchange was organized to safeguard the interests of the patrons of the market and those operating thereon. It operated as a Nebraska corporation until about 1915 when it became a voluntary association. Its first regular meeting was held January 21st, 1889. The first motion ever made was for the appointment of a committee to obtain better railroad service, and better service in the weighing of stock in transit. The next motion was to appoint a committee to see the Governor of Nebraska relative to inspection of cattle and necessary action to prevent abuse of live stock in the yards. During the same month, the Board of Directors appointed a joint executive committee for hog inspection. By this we mean determination of the number of pregnant sows and stags in each load or fractional rate offered for weighing. This dockage is taken from the [fol. 858] weight of animals docked. Disagreements as to shrink- of this kind were primarily responsible for the organization of the Chicago Exchange earlier in the 80's. It used to be said that if a packer bought a drove of hogs high, he docked them cheap; that is, unless he were allowed to dock them as he saw fit, he refused to accept them.

In February, 1889, the Exchange took up the matter of working with the yard company to obtain the feeding of better hay to stock in the yards; also the reduction of telegraph tolls; and at the same time reduced prices of meat

and live stock were discussed and a committee appointed to bring about an adjustment to protect the purchaser. Laws were being introduced to compel local inspection in the packing houses, and the Exchange, in the interest of the shipper, asked for Government inspection. It also made an effort to compel rendering companies to pay higher prices for dead live stock. On June 3, 1889, a committee on railroad service was appointed, the beginning of the present traffic department. During this year there was an outbreak of Texas fever and the then Governor was asked to quarantine Nebraska against the Kansas City market, safeguarding the interests of patrons at Omaha. During this year the first fine for uncommercial conduct was assessed against a local firm. The Board of Directors has always made the definition of such conduct broad enough to cover conduct unbecoming a gentleman, or unethical conduct of any kind, as well as dishonest practices. During the existence of the Exchange only 5 members have been expelled for dishonesty. One of them appealed to the Supreme Court of Nebraska, where the Exchange was sustained.

In November of 1889, steps were taken for the organization of a National Live Stock Exchange which the Omaha Exchange joined in December. Early in 1890 the Exchange continued its policy of insisting on better service by the yard company and the carriers tributary to the market. During that year it began handling discrepancies in freight rates. Local Nebraska rates were submitted to what was then the Nebraska State Board of Transportation, later merged into the Nebraska State Railway Commission. In this year also there was a contest with the carriers for an equalization of rates on live stock products to the south, southeast and southwest. Lower adjustments were arrived at on live stock to Omaha from points in the North Platte territory on a parity with points south of the Platte River to Omaha and other markets. As early as [fol. 859] 1890, requests that commissions be placed on a percentage basis were made.

In 1890 the first attacks in Congress on oleo were made. We helped the packers combat them for the reason that oleo is made from cattle fats and a discrimination against it hurt the value of cattle and reduced the remuneration of

our shippers. About this time also a collection was taken up among our people for needy Western Nebraskans. In December, 1891, occurred the first discussion of rents charged by the yard company in the then new Exchange Building, the one recently abandoned. During this year also, commission men made an effort to reduce expenses by passing the first solicitor rule, restricting the amount of solicitation which might be done in the country.

Since the organization of the Exchange, the minutes and the reports of its committees show a continuation of its original policy of protecting the interests of its patrons. In time, competition between markets grew up. The first case tried by our Exchange before the Interstate Commerce Commission was to bring about equalization of freight rates to the east between Omaha and the lower river markets, Kansas City and St. Joseph. This case was tried in Omaha and resulted in lowering freight rates from a minimum one-half cent to a maximum of seven cents per one hundred pounds from Omaha to the Mississippi River and points east thereof. This increased the buying power at Omaha and was taken advantage of by independent slaughterers in the east, with resultant benefits to our patrons. At seven cents per hundred pounds the difference would be $15.40 on a minimum car of cattle. This took place about 1910 or 1911. Shortly thereafter the petitioners herein, through the Exchange, filed a complaint before the Interstate Commerce Commission resulting in an order in our favor, saving the patrons of public markets in this country over a million dollars. I refer to the Stock Cattle Rate case, known as I & S 55. This case had to do with so-called Stock Cattle Rates. Hearings were held at Omaha, St. Paul, Kansas City and Chicago. Its magnitude is indicated by the fact that in the fall 65% of the receipts at Omaha and the other river markets, go back to the country for further finishing and that on this 65% there was a 25% saving in freight rates. Since then this stock rate has been broadened to cover stock sheep and hogs. There is no question but that this saving alone has, every year since it became effective, amounted to more than all of the com-[fol. 860] missions and a goodly portion of other yard charges on the public markets, especially at Omaha. Had not this complaint been filed, the elimination of these rates

would not have been accomplished. Our action was not entirely selfish because it was not a matter of market competition; our action was purely in the interest of our patrons.

In 10 years there has not been an important live stock rate case affecting rates in this territory in which we have not been interested; sometimes entirely for the benefit of the patron and sometimes in the joint interests of our patrons and ourselves. Shortly after the beginning of the world war, railroad service had so slumped that our patrons were losing vast sums. In June, 1917, we organized the claim bureau which has since handled approximately seventeen or eighteen thousand claims and has collected nearly a million dollars. Our charges in this department cover expenses of operation. We have on file hundreds of letters of commendation from our patrons saying that never before have their claims been given such satisfactory service. I do not mean that there have been no complaints, but the results as a whole have been satisfactory.

Prior to 1920 the Government had maintained ante-mortem inspection to designate animals unfit for food. In 1920 Congress cut the appropriation of the Bureau of Animal Industry to the point where the Bureau removed this service. We felt it absolutely necessary to continue it because if abandoned the packer would protect himself as he has in some markets where the service was abandoned, by buying cattle from a dollar to two dollars a hundred cheaper where the buyer thought there might be a possibility of condemnation. We, therefore, made arrangements for our cattle scale men to perform this inspection under authority of both the packers and the Government. Some of our commission men estimate that the result is to save our patrons from $10 to $20 a head from 7,000 to 9,000 cattle handled.

Formerly it was customary after selling, feeding and watering cattle, to turn them into the alleys and let them gradually work their way to the scales, sometimes remaining in the alleys four or five hours. The result was a constant shrink and bitter complaint by some of our most influential patrons. Our members devised a plan to have a representative of theirs present at each scale to expedite weighing. Now each firm weighs by number. This num-

ber is placarded on each scale as the turn of the firms comes [fol. 861] up; their stock are kept in pens until then, when they are taken from the pens to the scales and immediately weighed. One of our patrons told me, after this system had operated for a number of months, that he thought it saved the patrons all of their commission and yardage charges. This inspection and assistance is carried on at an expenditure by the petitioners herein of about $14,000.

These activities would be impossible without some central organization. I cannot now think of anything we could do for our patrons' benefit that is not being done. They rely on us for help in all matters pertaining to the welfare of the industry. We are asked to help with legislation in the State Legislature and in Congress and with adjustment of the charges of carriers or other public or *or* semi-public service concerns. For 10 years, over half my time has been devoted to activities which of themselves do not selfishly benefit our members. Just now we are spending $2,500 in broadcasting the Omaha market through the radio for the benefit of our patrons, not an entirely unselfish proposition.

The following are the number of firms, the volume of business and the average in cars per firm per annum in the years mentioned, exclusive of horses and driven or trucked in live stock:

Year	Number of firms	Total Business	Average per firm per annum
1910	45	87,345	1,941
1915	50	98,946	1,978
1920	51	109,650	2,150
1925	57	110,584	1,940
1926	58	104,373	1,799

the figures for 1910 are thus but one number at variance from those of 1925, showing plainly that the membership has not increased out of proportion to the increase in business. The slump per firm per year for 1926 does not come from an unusual increase in the number of members or firms, because the membership is lower in 1926 than it was in 1915. The figures for members of the Exchange are as follows: 1910, 201; 1915, 245; 1920, 243; 1925, 222; 1927, 220. In giving the volume of business, I have excluded

driven in and trucked in animals because the yard company's records do not reduce driven in and trucked in live stock to cars. As a matter of fact, the driven in and [fol. 862] trucked in business has increased in the last five or six years, from a negligible percentage 20 years ago to 21% or better of the hogs; and if the driven in and trucked in animals were included, the number of cars per firm per annum would be increased.

The volume of business in 1924, 1925 and 1926, exclusive again of cars of horses and driven in and trucked in live stock was as follows:

In 1924	129,301
In 1925	110,584
In 1926	104,373

while cars for the first five months of 1927 as compared with corresponding periods in the three preceding years, were as follows:

In 1924	56,845 cars
In 1925	47,100 cars
In 1926	43,053 cars
In 1927	38,337 cars

Referring to the live stock associations represented at the hearing before the Secretary, I have attended their meetings almost regularly for twenty years. My judgment is that the members of these associations comprise possibly 2% of the shippers to the Omaha market. There are associations in Nebraska, South Dakota and Wyoming. The Nebraska association claims 500 members, probably 100 of whom would be commission men, stockyard representatives and railroad men, leaving a net membership of approximately 400. On June 30, 1926, there were registered 5959 brands in Nebraska; on April 6, 1927, 6751. At the recent session of the Legislature, a law was enacted requiring registry of all brands. It is the estimate of those familiar with the cattle business in Nebraska, and myself, that by July 1, 1927, when the law becomes effective, there will be in Nebraska at least 10,000 registered brands, or a ratio of members to brands of 400 to 10,000.

In Wyoming the association membership list contains 434 names and there are registered in that state, 16,100 brands.

In South Dakota last year they had 160 members and 8058 recorded brands. The South Dakota Legislature recently adopted some such law as was passed in Nebraska, which will materially increase the number of brands and [fol. 863] materially affect the ratio of members to cattle men in that state.

There are market agencies in Omaha, other than those belonging to the Exchange. From time to time since its organization, independent commission firms have operated. There has never been a time during their operation, when the railroads and yard companies, the banks and buyers, did not trade with them. Thirteen or fourteen years ago the Farmers Union was organized. Our people trade with them without let or hindrance. They have done an enormous business, in one year about 10% of the total receipts of the market. A little later, the Wool Growers Commission Company was organized with a very much reduced commission. It operated for two years or more, when the owner, finding that he could not operate on his cut commissions, materially increased same and went out of business shortly thereafter. Since then one or two others have opened independent concerns on a split commission basis, but have not been successful. Today there is the Farmers Union and one independent concern, both of which trade with our people with no opposition from our rules. I do not know what amount of business they are now doing. When the Packers and Stockyards Act first became effective, Howard Gore, one of the arbitrators in our then pending commission case, himself drafted our Rule 38, which is as follows:

No member of this Exchange shall be required or authorized by any rule or by-law to do any act that shall in any manner violate the provisions of or be in conflict with the Packers and Stockyards Act of 1921, or any of the rules and regulations of the Secretary of Agriculture lawfully issued thereunder.

The Farmers Union started out on our schedule with a patronage dividend. About two years ago they cut their commissions about in two for one year. They have now

gone back to approximately our schedule and I believe propose to pay patronage dividends. It has been our policy to have a uniform schedule of rates. There are many reasons for it. (Conceded by the Government that there must be uniform rates.)

Without uniform rates the market would soon become an uncontrollable scramble for business, resulting in a chaotic market condition and a development of dishonesty with the resultant losses to its patrons. There is just as much reason for uniform rates on a public market as uniform freight rates in the tariffs of the carriers.

When this case was instituted, our members took steps [fol. 864] to ascertain the attitude of their patrons to the advance proposed in our schedule No. 2. Several of them sent out questionnaires. Others wrote letters; others talked to individuals. Our office furnished a form which numerous shippers were asked to sign, the result being that out of shipments approximating a little over 100,000 cars for 1926, shippers representing over 33,000 cars expressed their satisfaction with present rates and their hope that no disturbance would be made in rates with a possible deterioration in service. A perusal of hundreds of these letters, leads me to state that could our entire patronage list be canvassed, we should have had signatures for practically all our business. Shippers are not on the whole dissatisfied with our charges. They are, on the whole, satisfied with our services. They do not seek to have our remuneration decreased; they wish us paid well enough that they may demand the best possible service; many of them suggest increased remuneration. It is only when their minds are inflamed by perpetual disturbers and trouble makers that they pass resolutions condemning their very best friends, the commission men, asking for reductions in rates, and even then often privately they say, "Well, we were in a meeting and Mr. Blank talked to us and we voted 'yes' or 'did not vote at all,' but we do not want your pay out if that means decreased efficiency." I know this of my own personal knowledge. I have our patrons in the office day after day, sometimes one or two, sometimes a dozen or fifteen or more a day, and make it my business to ascertain whether or not the services performed by our members are satis-

factory, whether or not they are satisfied with the remuneration they are paying, and I have had but one man in six months tell me that he thought our commissions were too high, and that day the market was half a dollar lower and I did not blame him. Generally, and almost without exception, our people are satisfied. They are not the ones who have made the trouble in this case and had they been allowed to vote or express their opinions, there never would have been a Packers and Stockyards Docket 143.

The entire charge made by the commission firms, irrespective of whether it is a little higher or a little lower, is not a principle or even an important factor in the general situation regarding the live stock industry. It is a minor factor. It is almost the most negligible factor. The important factors are transportation charges, expenses at home, [fol. 865] expenses en route. The commission charge is the least of the charges the shipper pays. In the publication issued by the Bureau of Economics at Washington, the live stock purchaser's dollar is distributed as follows: To freight, 5-6/10¢ in 1924; 4-5/10¢ in 1925 and 4-3/10¢ in 1926; to other distribution costs of which our commission charge is probably the minor item, 3¢.

The cut ordered by the Secretary, and approximately 1/10 of 1% of the value of the product, would make no appreciable difference to the live stock industry. Not one shipper out of five knows what his commission is. He knows it is a negligible amount. It doesn't amount to much compared with the other charges he has to pay and he never would recognize 1/10 of 1%.

I am personally acquainted with every member of the Exchange including the member owners of the petitioners herein. I have known the old timers since 1890 and the younger members since they joined. Each of them must come to my office to file application, receive his certificate and have a little chat with the Secretary before he starts business. I have prepared a statement as to each firm, showing the length of time each member or each individual petitioner has been in business. This statement shows that the live stock commission business is not a fly-by-night affair; that it is based on long years of experience; that a man may not hop into it and within a few weeks or months hop out again; that generally, long apprenticeship is

served; that the country must know that those engaged in it are experienced and that live stock consigned to them will be carefully, honestly, expeditiously and economically handled and the returns therefrom safeguarded. The existence of numerous firms each seeking to render the best possible service, gives patrons unlimited competition and assures them of high grade service unexcelled in any other line of business within my knowledge.

The data I have compiled shows that of the approximately 220 members now in the Exchange, 126 are owners, or part owners of Omaha commission firms. The average tenure of their membership in the Exchange is 16 years. We have 16 corporations, 19 individually owned concerns and 23 partnerships. Of the 126 owner members, 121 are engaged in business on the Omaha market. The 58 firms have 463 employees and owners, an average of almost 8 owners and employees to the firm. Ten firms were organized in the 80's; 13 were organized in the 90's; 9 were organized [fol. 866] between 1900 and 1909; 12 firms commenced business from 1910 to 1919 and the rest in the 1920's. The highest number of employees of any organization is 24 and the lowest, 2. This compilation emphasizes what I have heretofore said concerning the character of the relationship between the petitioners herein and their patrons. I have frequently heard country men say, "I would not let any other than John Jones sell my cattle or hogs or sheep, as he knows me, his father sold stock for me before he ever came into the yards. I have implicit confidence in him, and would under no circumstances think of leaving him." Other shippers say the same thing about their commission man's ability to assort live stock properly. Proper assorting may mean a greater saving, or greater returns than the purchaser's entire yard costs. Data concerning the individual petitioners is as follows:

The American Live Stock Commission Company, organized 1925; owned by C. A. Oss, who joined the Exchange in early 1927, succeeded to ownership when his brother, George Oss, died accidentally some months ago. The present owner has been on the market in different capacities for approximately 10 years. There are 5 employees including the owner.

Blanchard & Keenan, a partnership, composed of B. B. Blanchard and R. R. Keenan. Members of the Exchange respectively for 18 and 14 years. Mr. Blanchard for years and years before becoming a member was employed in different capacities by Omaha commission men. Mr. Keenan, some time prior to joining, had come to Omaha from Chicago to work for another firm. The firm was organized in 1926, its members severing their connections with other firms and organizing a business of their own. They have 4 employees.

Bliss & Son, owned by Frank E. Bliss, a member of the Exchange for 23 years; the firm was organized in 1884 by his father; the present owner worked for years for the firm and in the live stock commission business before obtaining a membership. The concern has 5 employees.

Bliss, Wellman & Hopkins, owned by Frank C. Bliss, Frank F. A. Wellman and Clare H. Hopkins, respectively members 20, 20 and 15 years; organized 1907; 9 employes. Bliss was a farmer all his life before coming to the Omaha market.

Boetel Live Stock Commission Company, owned by [fol. 867] Charles W. Boetel; member for 10 years; employed on the market for many years prior to that as yard man, salesman, etc.; 4 employees.

Bowles Live Stock Commission Company, a corporation owned by W. C. Davidson, a member for 11 years; organized 1904 by Bowles Brothers of Chicago and Kansas City; Davidson, prior to his Omaha membership was actively engaged in the live stock business at Omaha, Kansas City and Chicago; has devoted practically his entire business life to the business; 11 employees.

Bryson Bros., a corporation owned by N. R. and T. H. Bryson, members respectively for 21 and 17 years; organized 1914; both members prior to that were employed in the live stock business by other concerns; 6 employees.

A. G. Buchanan & Son, an- individually owned by *by* W. W. Buchanan, member for 12 years. His father, A. G. Buchanan, was in the live stock business in Omaha before there was a stock yards, having been connected with the old Boyd Packing Company in the early 80's. Present owner associated himself with his father on leaving school and has devoted his entire business life to the business. The firm

today serves patrons who shipped to the father before the present owner was born. The firm was organized in 1893 as Boyd & Buchanan; 1898 became Nye & Buchanan; later the present firm; A. G. Buchanan was associated with other commission firms in Omaha before organizing the Boyd & Buchanan firm; there are 5 employees and the firm is an outstanding example of my statement that the business requires and receives experienced help.

Burke, Richly Co., firm No. 42. A partnership; members, Charles Burke, Webster Mills, Everett H. Burke, members of the Exchange for 25, 15 and 8 years respectively. It has operated under its present name for 20 years, for 12 years prior to that as George Burke Company, George Burke being a brother of Charles Burke; for 10 years prior to that, or back to 1885, as George Burke & Frazier. Even before that one of the owners had been in the live stock business when the stock yards were located in Council Bluffs and North Omaha. Everett Burke is a son of Charles Burke and was yard man and junior salesman for the firm before the war. When he returned from military service he became a partner and has since been [fol. 868] actively engaged in the business. There are three employees.

Byers Bros. & Company, firm No. 34, a Nebraska corporation, with stockholders at Chicago and Omaha. Five stockholders, H. G. Kiddoo, C. W. Owen, E. C. Marsh, Roy B. Greer, R. P. Johnson, have been members of the Omaha Exchange respectively 16, 18, 11, 6 and 3 years. The firm began business in Omaha in 1886 under Mr. Dick Byers, whose brother's son is now engaged in a like business in Chicago. Each of the Omaha stockholders has risen from the ranks. Mr. Kiddoo, present manager, began as the firm's bookkeeper many years ago, succeeding to the management on Mr. Dick Byer's death. C. W. Ower was yard man and feeder buyer during all of his membership and for years prior thereto. The present steer salesman, Roy B. Greer, was yard man, junior salesman, cow salesman and is now steer salesman, each step in advance coming as the result of experience and proven skill. There are 13 employees and stockholders all told. In addition, there is H. T. Gant, who handles the sheep consigned to this firm.

John Clay & Company, firm No. 18, a partnership owned by John Clay, Frank Connor, C. A. Kleman, Allan F. Wil-

son, C. G. Smith and W. E. Reed, respectively members of the Omaha Exchange for 30, 27, 23, 3 and 26 years; organized 1886, two years after the opening of the Omaha yards and is one of the oldest commission firms in the country; 24 employees in Omaha. Messrs. Wilson, Smith and Reed are junior partners, taken into the firm from branch houses a few years ago; Mr. Reed, manager of the local house has been connected with the firm for over 36 years.

Clifton Commission Company, firm No. 10, a partnership; members, Clay C. Clifton and Claude Clifton, father and son, members of the Exchange for 38 and 31 years, respectively; organized 1890. Before the firm was organized the father was a shipper to the Omaha market. Before it was organized, C. C. Clifton was a member of the firm of Dorsey Bros. & Clifton, which operated during 1887 and 1888. This firm is another illustration of the fact that the commission business at Omaha is in the hands of men whose lives have been given to the business. It also illustrates the fact that our ranks have been filled largely from the country, from stock shippers who have come to the market and later have gone into the business; or from sons of shippers who have gone to work for Omaha firms and later have become members. More than half of our members are former stock shippers, farmers, or sons of stock shippers.

[fol. 869] Clow, Lush Company, firm No. 2, successor to Byron Clow & Co., a corporation owned by Byron Clow, J. E. Lush and F. M. Youngblood, members respectively 18, 10 and 10 years; all resident owners. The Byron Clow firm was organized in 1909; the others were formerly engaged with other firms; 8 employees, including the owners. Mr. Youngblood was formerly a butcher and farmer and the others were farmers.

The Corn Belt Commission Company, firm No. 52, individually owned by M. F. Guilfoyle; resident owner; member for 18 years. For many years prior to organizing his own firm in 1920, had been employed by other firms as yard man, junior salesman and senior salesman. He has 5 employees.

Cox Jones Commission Company, firm No. 43; partnership composed of W. F. Bavinger and W. T. Cox, both of

Omaha, members respectively 16 and 18 years. Originally organized under the present name in 1899; changed in 1912 to Cox, Jones, Van Alstine Co., the former name resumed in 1921. The present partner, W. T. Cox, is a brother of the Cox who founded the firm. Bavinger came to the firm as an employee a great many years ago. W. T. Cox has been on the market 28 years, first as yard man, then as salesman of odds and ends, then on butcher stock, then on steers and is now head cattle salesman. Total personnel, 13 persons.

Dearth & Company, firm No. 49, individually owned by W. J. Dearth; originally organized in 1890 as the George M. Wood Sheep Commission Company. Present owner was employed for 4 years in the Chicago packing houses; later was associated with one of the old firms in the Omaha market; became a partner of George M. Wood some years ago and has operated in business since Mr. Wood's death. Has been in the commission business approximately 27 years; total personnel, 3.

W. F. Denny & Co., firm No. 35; individually owned by W. F. Denny; successor to Crill, Denny & Company, organized 1889, Mr. Denny having come to Omaha from Chicago some time prior to that; member of Exchange 38 years; total personnel, 4. Mr. Denny has devoted practically his entire business life to this business. Before entering it he was, for three years, employed by the B. F. Murphy Packing Company in Chicago. His father was a commission man on the Chicago market shortly after the Civil War; and his son has, since leaving school, been associated with Mr. Denny in Omaha.

[fol. 870] Donahue Bros. Inc., firm No. 27, a corporation owned by Mr. T. J. Donahue, Leo Ryan and Charles Hammer, all resident owners; organized 1921; members respectively of the Omaha Exchange for 24, 4 and 4 years. Mr. Donahue worked for numerous other concerns on the market before establishing his own business. Messrs. Ryan and Hammer came to the market from Iowa farms. Mr. Hammer, aged between 50 and 60 years, had been a farmer practically all his life. Mr. Ryan is a young man, whose father formerly worked in the yards for the yard company before taking up farming in Iowa about 20 years ago. Total personnel, 8.

Allen Dudley & Co., firm No. 19, a partnership owned by Allen H. Dudley and Chester P. Dudley, members for 20 and 15 years respectively, both resident owners. Organized 1895 by W. H. Dudley, father of the present owners, who, prior to 1895 was in the business as member of the firm of Gassman & Dudley. His former partner developed unfortunate characteristics which caused the dissolution of the firm, and Mr. Dudley paid to its creditors every dollar with which he was in any way connected. In few instances have as strenuous efforts been made to discharge obligations of partners as were made by him in this connection.

Dworak-Stolinski Commission Company, firm No. 11, a partnership composed of Frank Dworak and Theodore J. Stolinski, members respectively 14 and 8 years. Dworak worked for other concerns before entering the business himself; Stolinski was in the credit department of one of the packing houses for 16 years. Total personnel, 4.

Farris-Marcy Co., firm No. 3; individually owned by T. W. Farris, member for 19 years; successor about 1911 to N. E. Acker & Company, operating until 1916 as Farris-Burrinton & Marcy and thereafter under the present name. The Acker concern dated back to the organization of the Exchange in 1889. Up to a few months ago there were employees who had been with the Acker concern during practically the entire continuation of the organization. Mr. Farris has 3 employees, besides yard man.

Frazier-Johnson Co., firm No. 44, a corporation owned by William Frazier, resident owner and member for 24 years; organized in 1906, succeeding the Greer-Mills Co., which was established in 1904. The present owner came to the market in the early days from northwestern Nebraska, where he had for years been a prominent stock raiser and shipper. He has been in the live stock and agricultural business since he was 16 years old. Total per-
[fol. 871] sonnel, 7.

Fonda-Kells & Christie Company, firm No. 53, a corporation whose stockholders are Messrs. Fonda, Kells and Christie, who have been members for 27, 17 and 12 years respectively; all resident owners who came up in business along the usual lines.

The Gant Live Stock Commission Co., firm No. 36, individually owned by H. T. Gant, Omaha resident and mem-

ber of the Exchange for 13 years; in the live stock business for many years thereto.

The Globe Live Stock Commission Company, firm No. 60, a partnership composed of Henry Wagner and D. P. Hogan, members of the Exchange for 12 and 2 years respectively. Both Omaha residents; successor to the firm of Wagner-Dolezal which commenced business in 1921.

The Great Western Commission Company, firm No. 28, a partnership composed of C. L. Peterson, J. O. Allsworth, John Boetel and M. S. Morrill, members respectively for 18, 21, 6 and 5 years; all Omaha residents; organized under its present name in 1903, succeeding another firm which had been in business since 1893. The present mayor of Omaha, James C. Dahlman, was once a member of the predecessor firm.

Green-Madden & Company, firm No. 20; partnership owned by G. W. Green and Walter Madden, members of the Exchange for 23 years; both Omaha residents; both came up from the ranks, having directed a firm which was organized on the Omaha market in 1887.

Ingwersen & Daugherty, firm No. 12, individually owned by R. B. Daugherty who recently purchased Mr. Ingwersen's interests. Mr. Ingwersen came to the market years ago from Chicago where he was connected with a concern which has been in existence 40 or more years, his father and uncles having preceded him. Mr. Daugherty came to the market first as a yard man, then up through the different branches of salesmanship.

The Interstate Live Stock Commission Co., firm No. 4, a partnership owned by Charles F. Cox, R. L. Reynolds and J. J. Donahue, all residents of Omaha, members of the Exchange 17, 16 and 6 years respectively; organized September 1, 1910; the members came up through the ranks, having worked for other concerns prior to the organization of this one.

[fol. 872] Jackson Live Stock Company, firm No. 54, individually owned by T. A. Jackson of Omaha, member for 20 years who succeeded his father. The present firm was organized in 1909 as the Jackson Signal Company, Mr. Jackson taking over Mr. Signal's interest in 1918.

Jacob Jacobs Live Stock Commission Co., firm No. 45, individually owned by Jacob Jacobs; organized 1925, Mr.

Jacobs having for years before been a cattle buyer for the Wilson Packing Company; he has employed a hog salesman, cow salesman and three yard men.

Jensen-Sterba Live Stock Commission Co., firm No. 3, partnership owned by Jim Jensen and Frank Sterba, both Omaha residents, members of the Exchange 10 and 3 years respectively. Both of them have spent practically their entire business life handling live stock.

Laird Live Stock Commission Co., firm No. 37, individually owned by J. M. Baird, member for 23 years having come to the Omaha market from an Iowa farm considerably prior to joining the Exchange. He has been connected at different times with two or three other commission houses. His son is in the business with him.

Laverty Brothers, firm No. 29, individually owned by R. M. Laverty, member of the Exchange 21 years. His concern succeeded one of the oldest on the market, Savage & Green, who started in business in North Omaha before there was a yard on the south side. Later the firm was changed to Savage, Kelly & Abbott and in 1908 assumed the present name; total personnel, 8; Mr. Laverty has charge of the office and is senior salesman.

Lee Live Stock Commission Co., firm No. 21, a corporation owned by W. W. Rapp and Howard Moberly, members 9 and 17 years respectively, both Omaha residents and both having come to the yards from the farm. This firm is successor in direct line to one of the oldest firms on the market, Keenan & Smith; later Draper Smith; later Rice Brothers and later the present firm.

Lindley-Cahow Co., firm No. 13, organized as the Lindley Commission Company in 1916 and changed to the present name in 1925. The stockholders are now Lindley, Cahow and Allyn, members 13, 24 and 3 years respectively. Lindley was for years live stock agent for one of the railroads and later with a prominent live stock concern in Chicago. [fol. 873] Cahow came to the market in 1890 as a stenographer for a commission firm. Mr. Allyn was for years office manager and accountant for the firm and was taken into the corporation three years ago. Total personnel, 14.

McAdams & Ihnen, firm No. 5, a partnership composed of W. H. McAdams and Robert Ihnen, members for 6 and 17 years respectively; organized 1922, Mr. McAdams hav-

ing been with other firms as salesman and Mr. Ihnen having been for years with a commission firm operated by his father. Mr. Ihnen has never worked anywhere else but on the Omaha market; Mr. McAdams has devoted his entire business life to handling live stock, following his father in the business.

Frank McDonald Live Stock Commission Co., firm No. 4, individually owned by Frank McDonald of Omaha, who first became a member in 1912, later left the market and then later came back and re-engaged in business, taking out another membership. He originally lived on a farm in western Iowa.

Martin Brothers & Company, firm No. 46, a corporation owned by George E. Martin and W. S. Burmeister of Chicago and Brad Hickox, A. D. Majors and R. M. Burriss of Omaha; organized originally in 1886 in Omaha and in Chicago in 1872.

Melady Brothers, firm No. 38, individually owned by E. P. Melady of Omaha, who has been a member of the Exchange for 26 years.

Mutual Live Stock Commission Company, firm No. 30, a partnership composed of D. C. Johnson and J. T. Sullivan, members for 17 and 35 years respectively.

Omaha Live Stock Commission Company, firm No. 22, a corporation owned by A. E. Rogers, L. J. Hough and H. A. Ragoss, all of Omaha, members of the Exchange 23, 17 and 8 years respectively, and tracing back to the early years of the market.

Ralston Live Stock Commission Company, firm No. 14, individually owned by John Ralston of Omaha, member of the Exchange on and off for 28 years.

Randall & Company, firm No. 6, a corporation owned by A. J. Randall, R. A. Gross and J. J. Robb, members 23, 17 and 8 years respectively; organized 1921; all of the members have worked their way up from the ranks.

Record Live Stock Commission Company, firm No. 56, [fol. 874] individually owned by Clifford McCleneghan, who succeeded his father who had been on the market a great many years. The firm was originally organized in 1913.

Roberts Brothers and Rose Live Stock Commission Co., firm No. 39, a partnership composed of H. H. Roberts and E. A. Rose, members of the Exchange for 25 and 24 years

respectively. Mr. Roberts succeeded his father, John Fitz Roberts and has spent his entire business life on the Omaha market.

L. E. Roberts & Company, firm No. 47, a corporation owned by A. A. Daly, member for 22 years.

Charles O. Robinson & Company, firm No. 31, a partnership composed of Carl Wallen, Ward Burgoin and Chris Hansen, members of the Exchange 16, 4 and 4 years respectively; organized 1921.

Rosenbaum Brothers & Company-Ingwersen Brothers, firm No. 23, a corporation operated by Rosenbaum Brothers & Company. Organized on the Omaha market by Ingwersen Brothers in 1897. The present stockholders are A. Wertheimer and E. H. Ingwersen of Chicago, members of the Exchange 26 years, and A. G. Smith, F. L. Crone and H. K. Wertheimer of Omaha, members 21, 19 and 3 years respectively.

Security Live Stock Commission Company, firm No. 15, individually owned by John Cunningham, member for 18 years, the firm tracing back directly to 1890.

William R. Smith & Son, firm No. 7, a partnership owned by John Smith of Omaha and J. E. Estes of Chicago, members of the Exchange 23 and 18 years respectively.

Snyder-Malone-Coffman Company, firm No. 57, a corporation owned by Matt Malone, member for 20 years; the firm tracing back to 1908; Mr. Malone has been on the market 28 years and shipped to the market 11 years before coming to Omaha.

Tagg Bros. & Moorhead, firm No. 48, a corporation with 7 members, whose aggregate period of membership is 138 years; A. W. Tagg, 17 years; W. B. Tagg, 29 years; E. J. Wright, 18 years; H. W. Johnson, 10 years; A. E. Anderson, 21 years; M. C. Wilkerson, 20 years, and Mrs. A. B. Lyman, administratrix for her deceased husband, who joined 23 years ago; all of Omaha; the firm dates back in direct line to 1884.

[fol. 875] Triangle Live Stock Commission Co., firm No. 40, a partnership composed of George E. Parker, C. J. Horn and John O. Neilson, who have been members for 23, 21 and 5 years respectively.

Williams & Sons, firm No. 24, a partnership composed of J. M. Williams and L. E. Williams, sons of A. L. Williams,

who first organized the firm in 1892. A son of J. M. Williams is in the business.

Winn Brothers, firm No. 16, a partnership composed of P. H. Winn and J. P. Winn, both members for 23 years, the firm tracing back to 1898.

Wood Brothers, firm No. 8, a partnership composed of Kay Wood, E. N. Munson, B. F. Roth, C. H. Cheyney and C. C. Johnson, members for 22, 17, 23, 4 and 11 years respectively, all of Omaha except Kay Wood of Chicago; one of the old firms on the market.

Wood-Oswald Company, firm No. 58, co-partnership composed of Will H. Wood and H. J. Oswald, members 30 and 25 years respectively. Mr. Wood's family have been engaged in the live stock commission business for two or three generations back.

I know, in a general way, what the audits prepared by John M. Gilchrist Company show. I am able to state the general effect upon the petitioners in this case, of the application of the Secretary's order of November 19, 1926, if made permanent. I think it would put a lot of them out of business. I think one-fifth of them would go out of business, perhaps more than one-fifth, and that all the rest of them would have materially to depreciate the quality of service they have been giving. I do not believe there is a firm on the Omaha market that can give its present quality of service under the Secretary's order.

I have had frequent occasion as Secretary of the Exchange to prepare, amend, construe and test the application of schedules of live stock commission charges. I think I have helped every committee on rules in the redrafting of rules and preparation thereof since 1906. I have examined the schedule in the Secretary's order as to its workability and as to being able to understand and apply it. The selling schedule is either vague, indistinct or incapable of being applied without modification in the following respects: I do not know what is meant by "Mixed cars, cattle 60 cents per head, single deck, $15,00." I do not know what is meant by "Calves, 30 cents, single deck $15.00, double [fol. 876] deck, $18.00." To make that a definite rate that could be clearly applied, there is lacking a maximum and minimum. I would call it an unworkable schedule, one which could not be fairly interpreted. You must know

where you may start and stop and in this order you have no stopping or starting place. You have a figure which may be in the middle; you don't know, if you have mixed cars, whether you are going to take the head rate on the cattle and go as far as they will, stopping at $15.00, and then take the head rate on the calves and do likewise with them.

The paragraph for straight cars in the Secretary's order is also unfair. It prescribes $15.00 for a car of cattle regardless of the amount of work entailed in handling that car. Our cattle cars, unfortunately for this schedule, are not standardized. There are a few old style, obsolete, 34 foot cars. The Great Northern Railroad has about 400 44-foot cars. The same schedule of $15.00 applies to both of them filled with the same kind of cattle. One man in one train might have a 34-foot or a 36-foot car, sold for $15.00 while his neighbor next to him would have a 44-foot car that sold for $15.00.

In the schedules prepared and filed by the petitioners themselves, we had a minimum rate on all cars, that is a minimum charge for any one car no matter how short it is or how few cattle it contains. The maximum was a certain number of dollars for a certain number of head; above that, so much was charged for length of car.

Again, in the Secretary's order it is stated that cattle and calves from the same car should be called a straight car; but in the selling schedule, cattle and calves are in the mixed car schedule; so I don't know and I don't believe the Secretary knows whether a car containing some cattle and some calves was intended as a straight car or a mixed car. You could not apply the language and the figures under the head "Mixed cars" any other way than to treat cattle and calves as constituting mixed cars. There would be no ambiguity in the case of cattle and hogs in the same car. In such case, I would apply the schedule as a mixed car, getting all the money I could under the straight head rate, and in figuring revenue would pay no attention to the figure $15.00 and $12.00 set opposite each description of live stock. In some places the railroads call cattle and calves a mixed carload and in some places they do not. Ten years ago there were as many mixed car regulations in the tariffs of [fol. 877] the carriers as there are states of the Union. They are trying to standardize them but they have not yet

succeeded in doing so. In some territories cattle and calves are mixed, in others straight. Rates promulgated during the war, we have succeeded in toning down in some territories. The matter is still in somewhat chaotic condition.

Other ambiguities were pointed out by Mr. Ross in his testimony yesterday, especially in the selling schedule and in the matter of drafts. The buying schedule is faulty in failing to provide rates for some classes of live stock to be trucked out. The buying schedule provides a rate per car. I do not know just how you would apply that to cattle driven out.

The Secretary's order permits the market agencies to file a schedule which will not exceed the rates prescribed, but I do not think that there is any way we could prepare a schedule which would stay within the limits of the order and still be workable. There are no such glaring ambiguities in tariffs 1 and 2, filed by us. There is no commission schedule which will fit every case, but in my judgment there are more ambiguities and fewer opportunities for correct interpretation in the Secretary's order than in either 1 or 2.

The half rate allowed on re-sells or "Seconds," was allowed primarily to increase buying competition on the market, which in turn increased returns to our patrons. These re-sales are to traders who sometimes buy an order to ship to the country and have to sell the portion they cannot ship, and other times they buy to re-sell; pure speculation. It is to the interest of the market to have these speculators there to increase the buying power. If the rate to dealers and speculators were made the same as for incoming live stock, a large percentage of those in the business would have to go out. In talking with one of the hog speculators the other day, he told me that his profit was not as much as the difference between what we are charging them and what the Secretary's order says we should charge them.

In my judgment the commission firms would not, in fact, adopt and put into effect the schedule charging dealers and speculators the same as incoming live stock. Our members feel that we could not, even if allowed to, charge the Secretary's figures, because they feel that it would limit com- [fol. 878] petition, which would in turn affect the results to the patron.

Approximately twenty-two out of twenty-four thousand copies of the Journal-Stockman are paid for by the commission firms and sent to their customers. I think the subscription lists of the commission firms are made up almost entirely of people who request that the paper be sent to them. They ask for it.

The Secretary's order does not provide any rate for cattle purchased to be trucked or driven in. That portion of the order which provides for drive-ins at the rate of 70¢ on cattle, 35¢ per head on calves, 30¢ per head on hogs, I would understand to apply to the number of head made up on any basis of so many head in the car. In the next paragraph we have 300 head of sheep or a fraction thereof at 20¢ per head with a maximum of $12.00 up to and including 150 head. I would not understand that that applies to cattle or hogs.

Cross-examination:

As to whether, if the commission men should charge the reduced rates provided for in the Secretary's order, that would lessen the friendship of the shippers for them in any way, there is only one obvious answer: No matter how friendly I am with you, if you give me money, I am going to take it and like it. I know of no reason why the charging of less rates as required in the Secretary's order should decrease the friendship of the commission men for their patrons. It might not decrease the friendship, but it would decrease the quality of service.

Commission men exercise their best efforts to get live stock sold promptly on receipt. I have seen it sold in the chutes immediately after unloading; I have seen it held in spite of the most diligent efforts, for two or three days. Market conditions govern that entirely. Cases in which stock is held two or three days are cases in which no satisfactory bids are received sooner. The commission man goes as far in holding live stock over from day to day, for better prices, as his judgment indicates he should go. If the shipper is on the market he is communicated with. Under some circumstances, the commission man will call his patron in the country and ask for instructions. The probabilities are that the shipper will tell him to use his judgment.

[fol. 879] Live stock do not shrink in the pens to anything like the degree they do in the alleys. Whether they shrink materially in the pens depends on whether they are properly filled. Live stock in the alleys are constantly disturbed by pedestrians, salesmen and buyers and hay wagons and every time they are moved they shrink. In the pens they are resting, eating and drinking undisturbed. There is some shrinkage in the pens, I would not go so far as to call it material.

Commission men make a practice of filling live stock held for sale. The shipper pays for it. I think that filling tends to preserve the health and comfort of the live stock. It is done to add to the profits of the shipper. The fill adds to the shipper's profits, not by putting more actual meat on the live stock, but by adding the weight of the feed and water which the animals consumes. If the fill were such as to make it evident that the stock was overfilled, the results would not be beneficial to the owner. The idea is to give the animal a reasonable amount of fill. I do not mean that the fill is carried only so far as to get away with it without being detected. It is carried on as is the custom in all public markets, a reasonable fill which is expected by the buyer. The increase in weight due to the fill is simply an increase in the weight of the stomach content.

I have heard of live stock being withdrawn from a firm to which shipped and turned over to another firm for sale. It occurs very rarely, probably not once in a thousand shipments. I do not know of any phase of the service which the commission men render their patrons, which is not recorded in the data taken from the firms' books by Gilchrist & Company and by the Government's auditors. I do not know that all of the costs of this service are included; I do not know that they were not all included.

The expenses of the Exchange are defrayed from assessments. These are pro rata assessments, per membership, and per car assessments by us upon cars of live stock handled. The former every member pays; the latter are paid by commission men only. I know of no such assessments which are not included in the audits.

The pro rata assessment is a flat assessment of so many dollars per member.

The decrease in freight rates in 1910 caused an increase [fol. 880] in business on the Omaha market. As soon as

we got the decision, we advertised it all over the east and our buyers told me that they noticed a decided increase in business because of the lessened freight cost on shipments from the market. That directly affected the revenue to shippers because with each added buyer on the market competition became more keen, demand was increased and prices went up. The increase was in the volume of business shipped east, which meant an increase in the number of buyers with more competition and better prices. I do not mean that the reduced freight rate enabled buyers to obtain live stock cheaper. Increased competition does not mean that a buyer pays less; he pays more. Two buyers may be able to get together, four buyers cannot. The buyers do not have to pay more than they do at other yards; they could pay more because of the lessened freight rates, without being dollars out of pocket. Any factor like a freight rate would have a similar effect. Commission charges are not like freight rates. The buyer does not pay the commission charge; the seller pays it and the buyer is not concerned with it. In my opinion none of the charges which the seller pays affect its prices to the buyer.

The members of the Omaha firms who reside in Omaha, not covered by my previous testimony are as follows: American Live Stock Commission Company, firm No. 50, C. A. Oss, resident owner; Blanchard & Keenan, firm No. 2, Messrs. B. B. Blanchard and R. R. Keenan, resident owners; Bliss & Son, firm No. 33, Frank E. Bliss, resident owner; Bliss, Wellman & Hopkins, firm No. 25, Frank C. Bliss, Frank F. A. Wellman and Clare H. Hopkins, resident owners; Boetel Live Stock Commission Company, firm No. 17, Charles W. Boetel, resident owner; Bowles Live Stock Commission Company, firm No. 9, Win C. Davidson, resident owner; Bryson Brothers, firm No. 1, W. R. and T. H. Bryson, resident owners; A. G. Buchanan & Son, firm No. 51, W. W. Buchanan, resident owner; Burke-Richly Company, firm No. 42, Messrs. Charles Burke, Webster Mills and Everett H. Burke, resident owners; Byers Bros. & Company, firm No. 34, H. G. Kiddoo, C. W. Owen, E. C. Marsh, Roy B. Greet and R. P. Johnson, resident owners; John Clay & Company, firm No. 18, W. E. Reed, resident owner; Clifton Commission Company, firm No. 10, C. C. and Claude Clifton, resident owners.

Going back to my previous testimony as to the effect on prices of charges paid by the seller, the seller must take the market for that live stock regardless of the cost to him. [fol. 881] If the producer ships his stock to market and a price is not offered which will pay his cost of production, he can withdraw it and hold it for a better price. He might ship it home. That has been done in isolated cases. As a practical matter, however, when live stock has once reached the market it is sold at the market first tried or some other market. A very small percentage is re-shipped from one market to another. Prices at different markets are generally close enough together to make it a strong gamble to forward it from one market to another. The difference in prices would rarely compensate for increased freight charges, shrink and other expenses.

Once in awhile a shipper fixes a minimum price—puts a string on his stuff. Ordinarily he relies on his commission man's judgment as to when to sell and what price to ask. If his confidence were misplaced it would not be practical for him to withdraw the shipment from the market or ship to another market. Any time prior to selling, the owner may demand and obtain his live stock. As a practical matter, it is not done, because he has faith in the commission man and knows he is obtaining the market. He may demand the return of his live stock without any additional cost. If he took it home or to another market he would have to pay the freight expenses, but he would not have to pay any commissions or yardage charges. He would have to pay for the feed. A yardage charge is made only when sale is made. Stock on the market has to be fed daily. The feed is charged for by the yard company. The commission man makes no special charge for the service. The yard company's charge is more than the actual cost of the product. That is one of their sources of revenue. Hay used to be $1.00 a hundred and corn $1.00 a bushel. Today I think the charge for corn at Omaha is $1.45. I do not know the charge for hay. I cannot state the cost per head of feeding live stock in the yards. It is not a constant quantity. It depends entirely on the cattle. For example, fat cattle and hay fed cattle would be given entirely different amounts. In view of this cost there is normally no advantage in holding live stock for a better price. Normally, live stock should

be and is sold on the day of arrival and for every day it stays it costs the owner more feed.

My figures for receipts at Omaha in 1926 and 1927 as compared to 1925 referred to total cars received exclusive of horses, trucked in and driven in livestock. Truck-ins and drive-ins have been increasing recently. I do not know how the gross revenue for commissions in 1926 compares [fol. 882] with that for 1925. Subject to variation on account of the class of live stock handled a diminution in the carload receipts would mean a reduction in the petitioners' compensation. I do not think the variation in class of live stock received in 1926 would be sufficient to make any appreciable difference in the remuneration per car. The audits introduced included commissions on drive-ins and truck-ins, which were reduced by the auditors to carload amounts.

Since the Exchange started operating, about eight independents have existed. Only two are still operating. In 1926 they handled about 6-5/10 per cent of the volume of business, in cars. One of them is a cooperative concern; the Exchange does not admit cooperatives to its membership. That leaves one which is eligible for admission. Because they are charging cut commissions we would not accept them. This one independent and non-cooperative handled a very small percentage of the business in 1926. The reason why these independents have not been able to continue in business is because the principle is wrong. The country does not have faith in them; their dealings have no guarantee. In some cases these firms have had no stability. The shippers in the country are intelligent and have not felt, generally, that their business would be safe in their hands. Seemingly, it has not been practical for a firm to operate advantageously as an independent at Omaha.

In stating that to put the Secretary's order in effect would, in my opinion, put approximately 20 per cent of the Omaha firms out of business, I do not believe I had the figure large or high enough. I do not care to raise it now, I prefer to be conservative. I based this opinion on my general knowledge of the business, my insight into the books of the concerns and the Government's audits, and upon my discussion with most of the plaintiff firms who told me they cannot operate under the Secretary's order.

They told me that they have tried the Secretary's order out on their own business and know what the result will be under an application, or a theoretical application of the order thereto. They calculated their income according to the Secretary's order and deducted therefrom their actual expenses and it put them out of business.

These 20 per cent are not confined to small firms or firms handling a small volume of business. Some of the largest firms on the market have said they could not operate. A complete answer to the question whether two firms cannot operate under approximtaely equally favorable conditions as to costs, would be as broad as all business condi-
[fol. 883] tions in all lines. I know of some reasons why they cannot. I am familiar with the Bowles Live Stock Commission Company and John Clay & Company. I do not know the amount of live stock they handle, or whether they are in approximately the same classes. Assuming that they are, I would say in response to the question whether there is any reason why one should find it more expensive to operate than the other, that the commission business is peculiar. A commission man must at all times be ready to handle a peak load. He may not disintegrate his organization when business is slack. The commission business today is a seasonable and territorial business. One firm may have a large business in a certain territory this year. Next year, because of drouth conditions or the winter on the range, that territory may ship him little, while the other firm may have been more fortunate territorially and its business holds up. The one which has lost business must and does maintain its organization. That would in large degree account for varying unit costs. I am assuming that the business of one firm has decreased without comparing it with any other firm. I have stated the general reasons for the ups and downs of individual firms and I cannot add any other reasons why one firm's cost of operation should be a great deal more than another's.

As to why one firm should have to pay more for a cattle salesman of the same ability, than another firm on the same market, how do I know that they are of equal ability? How could I know? I do not know that the ability of two salesmen is alike. People occupying similar positions in our and other businesses do not draw the same salary. One surgeon

charges one amount for an operation, another ten times as much; the first may have done as good a job as another. Mr. Brogan charges one fee for handling this case; another lawyer might charge more or less. As to whether a firm may determine by comparison with other firms operating under the same conditions, whether it is paying more or less than it should for its help, the securing of help is a matter of bargaining. If I am hiring an employee I make the best bargain with him I possibly can. So does the commission man. Some salesmen draw one figure and some another, but that is not entirely a correct measure of their value. One may be a better bargainer than the other, a better salesman of his own ability. The measure of a salesman's ability is, first, his ability to get the market for live stock, second, his personality and his ability to mix prop- [fol. 884] erly with the trade and convince the trade that he is doing all that is possible. That is as broad as business. Salesmanship is the same with us as in any other line. The successful salesman is not only the man who performs the act of selling, but who has all the other things which make up and round out a salesman. As to whether the number of stock he is able to sell in a year has anything to do with his ability, some of the best salesmen on our market sell much more stock than others, some much less. Experience cuts a big figure there. If I have two salesmen, one of whom sells 1,000 cars a year and the other one, 500, I would not consider the second as valuable as the first. Practically the question does not fit, because one may sell steers and the other cows and butcher's stuff. The steer salesman is generally the higher priced man of the two, not because commissions on steers are greater, nor because they are harder to sell, but because steers are more generally fat cattle and are higher priced animals. Sometimes they are harder to sell, sometimes easier. Steer buyers are more experienced and higher priced buyers than the cow buyers and that condition has to be met by a higher priced selling ability.

If I were hiring a steer salesman, I should want to know his experience, what kind of a mixer he was, his acquaintance in the country, what trade he could probably draw and other qualifications. The salary another firm might be willing to pay him would be a factor, due to the law of

supply and demand in labor. I would not be willing to pay him more than I thought he could get from another firm unless I thought he could make me money. There would be a limit to where I could go with the man; I would estimate what I thought he was worth and when I reached that point, if I could not get him, the other man would have to keep him. If I want to employ a particular salesman and the most he can get anywhere else is $4,000 a year and I think he would be worth $7,000 a year to me, I am not going to pay him $7,000 a year. I would try to get him at $4,500; if I can't, I would pay him $5,000. As to why he should not work for me at $4,500 as compared with $4,000 for someone else, he might not like me as well as he likes the man for whom he was working. That goes into the whole atmosphere of the commission business and the surroundings of the individual. He may be happy in one place and not so congenial in another and the difference might be worth $500 a year to him.

[fol. 885] Salaries of employees are determined by competition of firms for their services to a certain extent. To perhaps a greater extent they are not. Qualifications are the same no matter whom they work for, assuming that the personal element is agreeable. Competition has some influence. I think the knowledge the prospective buyer has of the prospective employee's ability, trade and personal following is the determining factor.

It does not exactly follow that if another firm also knows the salesman has this ability and following, his salary will be determined by competition between them and that he will go to the employer who is willing to pay him the best money, assuming that personal relationships are satisfactory. It is a matter of the salesman's ability to sell himself to one man for more than the other man will pay him. His trade and the ability he has to handle it after he gets it are the dominant factors. That ability and those qualifications ought to be valuable to anyone for whom he may work, providing the surroundings are satisfactory.

I stated that I had determined from an application of the Secretary's schedule that 20% of these firms would go out of business. I also said it was ambiguous in its terms and not capable of intellingent application, but in trying it out we made as good a guess as we could as to what the Secre-

tary or those who wrote the order for him meant when they wrote it. We have no way of knowing that our interpretation is the same as the Secretary's, because there are spots in the tariff which have no terminal facilities. You know neither where to commence nor where to stop and it is anybody's guess as to what it means. We have made no effort to ascertain from the Secretary what he meant by the portions that we consider ambiguous. This order as a whole is so obnoxious, dealt our people so much grief, that we did not try. I recall no other case where we have been at such variance. We have asked of the Packers and Stockyards Administration interpretation of their orders, which they have given us. I did not say the rate of $15.00 for cattle in straight cars under the selling schedule was ambiguous; I said it was unfair. I do not think that is ambiguous, I think it is unfair. (Last sentence stricken as unresponsive). I said it was impossible to determine from the schedule what rate should apply on drive-out cattle, I do not understand that we are allowed to charge anything we please on drive-out cattle, because we have been told many times that we must make no charge not specifically covered [fol. 886] by tariffs. I find nothing in the order which prohibits us from filing with the Secretary a tariff prescribing any charge we please for drive-out cattle. Inasmuch as the Secretary had signed an order purporting to regulate our tariffs, pending determination of this case, we have filed no tariffs. We are charging under Tariff No. 2. Referring to the second paragraph of the order, providing that petitioners shall not charge any rates in excess of those found by the Secretary to be just, reasonable and non-discriminatory, I do not find anything in the order prescribing any charge for services known as commissions on drive-out cattle. I suppose we could file a tariff. Inasmuch as our Schedule No. 2 was suspended and this case is pending, we have filed no new tariffs. We could file another tariff.

When Schedule No. 2 was filed I was in the hospital. I am somewhat familiar with it. I stated that the rate prescribed in the selling schedule in the first two lines under "Mixed Cars" was ambiguous as it stands. The difference between that schedule and Schedule No. 2 under the selling commission for mixed cars, is that we have a maximum whereas the Secretary's order prescribes a minimum.

Answering the question whether there is anything in the Secretary's order which authorizes us to charge more than the rate there prescribed for cattle in single deck mixed cars, the tariffs are not made in that way. The paragraph two which you have had me read from the order, which prohibits our making any charge in excess of that found by the Secretary to be just, reasonable and non-discriminatory, is not a note to the revenue section of the order, it is connected with it in no direct way so far as revenue is concerned. The charges should be set out in the revenue portion of the tariff. The tariff to be complete, should show a minimum, or at least a maximum; it shows neither and, therefore, is ambiguous and impossible of intelligent interpretation; it is not built as tariffs are built under the Interstate Commerce Law, the Packers and Stockyards Administration, or any other tariff building machinery with which I am acquainted. (Motion to strike overruled.)

The revenue section of the order gives no starting and stopping place and the paragraph 2 referred to is not connected up with the revenue section of the order. It says [fol. 887] "Charges shall not be more than," but, more than what? It says "In excess of the rate heretofore determined to be reasonable, just or non-discriminatory," but it is not determined. In the preceding paragraph where it is said that "The Secretary of Agriculture determines that the following are schedules of just and reasonable charges," it was determined, but when he attempts to set out what the charges are and comes to the tariff or revenue portion, he makes mixed loads of cattle and calves. We have no means of knowing what we are to do with the schedule of rates without consulting the order. When the order tells us that we are not to charge in excess of these rates, there is still a question as to whether they are maximum or not. The order does not say. I cannot tell what the Secretary meant. Answering the question whether there is anything in the order which permits us to charge more than $15.00 for cattle in mixed cars, I do not know whether that is what the Secretary intended or not. I do not know what the Secretary meant. The tariff is ambiguous in its terms. Another difference between this statement of the rate in our schedule and in the Secretary's order, under "Mixed Cars" in the selling schedule, is that we have a

minimum as well as a maximum. It is a fact, I presume, that we might charge less than the Secretary's schedule if we wanted to.

There is no doubt about our ability to charge less, but considerable doubt about our inclination. That is not involved in the question of ambiguity, except that we don't know what that paragraph means. We have in ours a minimum and a maximum, you have neither.

Paragraph three of the order provides for the filing by the market agencies of schedules effective January 1, 1927. Nothing in that order prohibits us from filing such schedule prescribing such minimum rates as we see fit. I presume we could have filed rates cutting our schedule in two. The ambiguity is that the Secretary's rate has no minimum and maximum, and it is out of character to suggest that we are going to cut our rates in filing a tariff which has already been cut, according to the Government's figures, $341,000 a year.

All of the services I have described which the commission firms render the shipper, cost money to render. There is no reason why they would not continue to render these services under the Secretary's order, if the rates there pre- [fol. 888] scribed covered the costs and left them a reasonable profit. I decline to specify the firms that I think will be driven out of business by the application of the Secretary's schedule, unless compelled to. That would be unfair to them. Numerous of them have told me that they would be driven out of business.

I base my opinion that if the full rates allowed by the Secretary's order were charged speculators, some of them would have to leave business, on statements made by them to me, and my general knowledge of the business. Most of them have told me what they were making, not with this or any other case in mind, but because of my intimate acquaintance with them. If we take from their profits the raise authorized by the Secretary, their profits would be wiped out and in some cases develop into a loss.

I cannot give a normal figure for the speculator's profit, or a maximum and minimum, because some days a trader might make 25¢ a hundred and on a like number of animals the next day lose 15¢ a hundred. The information they have given me from time to time is incidental—"I made so

much last year," or "I lost so much last year;" and then since this case was begun, some of the traders have told me that their profit last year was not equal to the amount of the raise and that if the raise stood they would have to go out of business. If the traders went out of business, the people who buy their stock of the traders would have to purchase it of the commission men. The effect of that on the gross income of the commission men is that where the commission man sells to the packer or the direct consumer, he gets but one commission, but where he sells seconds, he gets two; that is, some other man gets the commission for selling the second time.

I have no information other than the expressions of the traders, which leads me to believe that they will go out of business under the application of the Secretary's rates. The traders tell me that their average profit on live stock is less than one-half of one per cent of the value of the stock handled by them. If the profit is less than one-half of one per cent, it must follow that the trader's profits in buying and selling are less than if he were handling the same stock as a commission man.

Redirect examination:

The total number of head of live stock received in 1924, 1925 and 1926, whether received in cars, or driven in in [fol. 889] trucks, was as follows:

Year	Cattle	Calves	Hogs	Sheep
1924	1,758,294	103,622	3,978,288	2,844,421
1925	1,592,599	116,221	3,355,207	2,419,551
1926	1,692,058	123,011	2,647,289	2,779,761

I was not able to be at my office when the accounting began preliminary to this hearing, or at the time the Government's auditors came here to make a similar accounting, and do not know what took place as to construing the Secretary's schedule or getting a construction of it.

W. B. Tagg, Omaha: Resident of Omaha 33 years; in the live stock commission business 28 years; stockholder and manager of Tagg Brothers & Moorhead; a corporation,

one of the original plaintiffs in this case; a registered agency under the Packers and Stockyards Act. The firm started business in 1884 and witness entered it in 1899. Present stockholders are A. W. Tagg, W. B. Tagg, A. E. Anderson, M. C. Wilkerson, E. J. Wright, H. W. Anderson, Mrs. A. B. Lyman, all residents of Omaha and all active in the business except Mrs. Lyman, who is represented by her son, her husband having been a stockholder when he died and the son now having application for Exchange membership on file. The firm does a general live stock commission business, handling all species, and having a salesman for each of the different kinds. The total salesmen engaged, both owners and employes, are six.

The total service rendered the shipper in connection with that of buying, and selling cattle, is as follows: We keep him posted on market conditions; help and advise him in the selling of feeder's stock; guard his stock at the market; sort, feed, water, sell, weigh and collect for the live stock sold; pay the charges in connection with the shipment, and remit the proceeds as directed by the shippers. The percentage of gross charges to gross business of witness' firm for the year 1926, Schedule No. 2 having gone into effect March 27 of that year, was 91/100 (.0091) of one per cent. I know of no other line of business where the percentage is as low, taking into consideration the work done and the responsibilities assumed.

We guarantee the title of live stock consigned to us and re-sold. We guarantee the title to the purchaser and protect him against any claim, such as a chattel mortgage or a claim of title by someone other than our shipper. We insure ourselves against this risk. Some other firms do likewise; some of them carry their own risks.

[fol. 890] There are some necessary incidental losses in credit in handling the business. Stock is sold and weighed and supposed to be paid for the same day. We don't know until after the clearing house is closed whether he has paid or not. He might pay the next morning. Sometimes we sell to a man; he gets the stock and we never get the money. A man may fail before he gets us paid. If we sell to a buyer from the country and his check comes back, we have to go and recover the cattle and take our loss. These things don't happen so much recently, but they are an occasional source of loss, necessarily incident to the business.

We had an audit made of our business for the period of April 1, 1926 to March 31, 1927. Exhibit 118 is the result. Exhibit 118 offered and received without objection to show that the results claimed for 1925 continued through 1926.

In preparing this exhibit we took the rates charged under Schedule No. 2 which was in effect from April 1, 1926 so that it reflects the actual commissions received under that rate. We also computed the commissions that would have been received on the same business if the Secretary's order had been applied, except that we did not include the advance on seconds, but took the rate for seconds existing under Schedule No. 2. In 1926 we handled 4,446 cars, including drive-ins, truck-ins and everything reduced to car lots, and received total commissions of $87,937.93. The expense of the business was $86,196.02, leaving a profit of $1,741.91, applying salaries as we actually had them on our books.

If this business had been conducted under the Secretary's order, with the rate on seconds provided in Schedule No. 2, we would have received gross commissions of $76,823.80 and with the same expenses the business would have shown a loss of $9,372.22.

I devote all my time to the business of the firm as manager and am generally kept pretty busy. The stock is coming in in so much smaller bunches and the business is so much more complicated than it was five years ago, that I think there is just as much work in connection with it as there was ten years ago, at least.

I have seen the results of the John M. Gilchrist audit to our business for 1925, and taking the results of the Secretary's schedule as applied to it, and of the same schedule applied to our business for the year ending March 31, 1927, the effect of a continuation of the application of the Secretary's order would be that we would go out of business. [fol. 891] We could not continue in business under that order unless we either gave poorer service or cheated our customers, and I would not do either one. If the order remained in effect we would have to do business at a loss or quit.

I am familiar with the business done in the yards by traders and speculators and do business with them. The trader makes competition for the different kinds of live

stock, but especially for odds and ends. When buyers for the large packers are looking for carload lots, the trader will buy small numbers and put them together and sort them into carlots and place them with different firms to sell. Another class of traders buys feeder stock, takes it to their own pens, sorts and classifies it and sells it to countrymen or other customers. The increase in commission charges would affect more particularly the first class. That increase would materially decrease that business. A material decrease in that business would limit competition on the buying market and cause prices to go lower for the producer.

In my judgment the commission men at Omaha would not adopt the increase to the traders and speculators permitted by the Secretary's order and I think it would be a mistake to do so. I personally would not favor it. The trader would require more capital than the commission man for the same volume of business.

The bulk of live stock arriving at the market is unloaded between 4 and 8 o'clock A. M., yarded betwen 6 and 8, assorted and classified and as a rule sold before 12 o'clock and except during extraordinarily heavy runs, or on a slow market, is weighed up by 1 or 2 at the latest; the account sale are made up and and the bulk of them go out the same day and the money is in the bank going back to the country before the bank closes at 3 o'clock. I think 90 to 95 per cent of the stock is handled the day it comes in. Under the circumstances it requires expert, experienced help, both in the yards and in the office to handle the business. We must keep an organization in both yards and office, sufficient to handle a peak day's business practically all the time because we don't know at noon the day before what the run will be the next day; we don't know whether we will have two loads or twenty. We must have the ability to serve in reserve before we know whether the cattle are going to arrive in quantities to exhaust our full capacity. We have to have our organization here all the time. The volume of business varies greatly. Receipts are heavier in the winter and spring than in the summer, and receipts of [fol. 892] western cattle and sheep are heavier in the fall than in the winter. We must have experienced and capable salesmen when the business comes and we cannot leave

them off for a couple of weeks. If we did, someone else might have them in some other line of business.

Cross-examination:

The cost of the insurance we take to protect our responsibility for the title of stock sold is shown on our books. We charge losses for bad debts directly to expense at the time the loss is sustained. 1925, I would say, was a normal year as to such losses. Our losses on that account were shown in our books for 1925. Mr. Shortell said it was not a legitimate charge. (Stricken as not responsive; exception taken.)

The services we have described are costly services, and everything we had was included in the Gilchrist audit, Exhibit 118. This audit included owners' salaries as shown by the books. We have four owners credited with performing the services of salesmen—one cattle salesman, one sheep salesman, one hog salesman and one feeder buyer. We also have three employed salesmen, two for cattle and one for hogs. One of these employed salesmen sells calves and a few odds and ends and gets $250 a month. The other employed salesman is not a regular salesman, but is what you might call the assistant hog salesman at $215 a month, or $2,580 a year. The other employed cattle salesman sells cows and gets $475 a month, or $5,700 a year. The owner cattle salesman receives $6,600 a year, the owner hog salesman $6,000 and the owner sheep salesman $6,000. In 1925 their salaries were $50 a month more for each of the owners. The owner feeder buyer gets $275 a month, or $3,300 a year.

I do not know how much the cattle salesman who receives $5,700 sold during the year 1925. I hired him in July or August of last year. I do not know how much the one who draws $3,000 sold in 1925. We have three cattle men who sell cattle, one sells cows, one sells steers and one sells bulls and calves. We don't know how many cars they sell. We have so many cars of cattle, we don't know how many cars of steers and cows. I could not tell you how many cars the $3,000 salesman sold, I have no way of telling from the number of cars of stock he sells whether he is earning his salary or not. I judge it from the way he pleases our patrons. It makes some difference what income he receives from our business but the income will take care of

itself if the salesman can please the shippers. If he cannot, he is high at any price. I do not know how many cars of cattle our owner cattle salesman sold during 1925. I [fol. 893] have no idea of individual performances. We know about how many cattle the firm handles in a year and what the shippers say about the service and whether they come back or not. To know how much each individual man sells, would not be any criterion, in my judgment, as to what he was worth. It would not be the only criterion. As between two men, all other things being equal, one who sold 1,000 cars would be more valuable than one who sold 500, if they gave equal satisfaction.

I would say that our owner salesmen sell more than our employed salesmen, because the owner cattle salesman sells steers and I think we handle more steers than cows in a year. Our records would not fix how much each particular man sold, they would show how many cows and how many steers but not which particular salesman sold the steers. We keep no record of that, it is of no interest to us. As far as ascertaining the actual performance of any individual salesman over a year's time, it is mere guess work. We know that the per car cost allowed by the Secretary in his order is not correct according to our costs. We have a very good idea of what our per car cost as a unit is all the way through the year's business. We arrive at that by taking the total year's expenses and dividing that with the number of cars handled. We could determine the selling cost per car, and tell whether the figure fixed by the Secretary is right or wrong by dividing the total number of cars handled into the total of the salaries paid to all of the salesmen, including salaries allowed to owners.

When we employ salesmen it is not our practice to pay them substantially more than they could command anywhere else. As to salaries allowed owners, with seven owners in the business and five of them salesmen and all having a chance to vote on salaries, you cannot imagine any one of us letting the other get more than he is worth. We have not a man on our payroll who has not been offered more than we have ever paid them, but we have an interest in the business and we would rather work there for less salary. The owners themselves have all been offered more money to go to work for other firms.

If we were compelled to go out of business by the Secretary's order we would not be assured of a greater income by way of salary somewhere else than we are now drawing, [fol. 894] because the people who would give us a job would probably go out along with us. There would be no one to hire us. There would be a surplus of high priced salesmen.

It would be up to the men in the country to decide who would sell the cattle we now sell. I could not say whether he would take them to some other market. He might sell them at home, especially when the rates here are lower than they are at Sioux City. If the Secretary's order will allow me enough income to defray my reasonable costs and allow me a reasonable profit, I know of no reason why I should go out of business, but the Secretary's order won't do it. (The last sentence stricken as not responsive; exception.) I consider the service rendered by my firm equal to that of any other firm on the Omaha market.

The anticipated elimination of traders and speculators will cause the price to producers to go lower. Anything that lessens competition naturally has that effect. I do not think it would decrease the number of people who want to buy the class of stock that dealers handle, nor increase the number who have that class of stock to sell. It would decrease the number of buyers operating on the market. The more buyers, the more competition. Two buyers buying fifty head of cattle each, makes more competition than one man buying a hundred.

The price to the producer would be interfered with because a good many times when you have odds and ends left, and packers have filled their orders and left, a yard trader or buyer will come along and you can sell them to him, clean them up that day. He will gather them together, carry them over and take a chance on selling them the next day to the same buyer who would not buy them today. The shipper has gotten his money and gone home. I do not contend that the increase would drive all the traders off the market. How many would be a good deal of a guess; I would say one-third but that might vary.

The ratio of income from trader's business to gross income from all sources varies a great deal. It was around one per cent of our business in 1925. My idea is that if

we raise the rate as directed by the Secretary it would cut the business in two so that there would be only about the same amount of revenue when we got through, but we would lose the competition in the yards.

If possibly one-third of the traders went out of business, I think the remaining two-thirds would furnish us only [fol. 895] half of the business that the present traders furnish us, which would result in leaving the income from traders' commissions about what it is now.

We have to have an organization every day to handle what you might call a peak load. I do not mean by that the largest amount of business we might be expected to handle, but a good substantial amount. So far as our firm is concerned, this entire cost is included in the audits, with the exceptions which have been noted here, such as the extra memberships.

I have no idea how many cars of cattle I would expect the $3,000 a year salesman to sell in a year under normal market conditions. We expect him to sell what we get out there in his particular class. I do not say that we give no consideration to the number of cars of cattle that a man will probably sell. This man has been with us for 15 years and I have no idea how many cars he sells per year.

Redirect examination:

In hiring a cattle salesman, it is absolutely impossible to calculate in advance how many cars he is going to sell the first year we have him. That is not the proper way of ascertaining what it is going to cost us and his value cannot be calculated on any such basis. I do not think that it is possible to do that in such a business as we have. I do not think there is any way except to take the actual figures showing the costs of conducting the business, to find out what it costs to run the whole business when carefully and economically managed.

Recross-examination:

Our firm is managed as efficiently as most of the Omaha firms. As to whether all of the firms at Omaha are managed with the same degree of efficiency, I will say that they are

all doing the best they can so far as I know, trying to give good honest service.

Redirect examination:

I am familiar with the practice of commission men of loaning money to shippers or feeders of live stock and paying drafts to buyers or shippers. That practice was general a few years ago but is not now. Its purpose was to increase the volume of business of the commission firm. It was not done to make money on interest. These loans were practically all rediscounted, sometimes with some margin of profit. It was not the practice of the commission men to [fol. 896] get that small margin. It had the effect of increasing the commission business. It had a very disastrous effect on the commission firms that indulged in it and put a great many out of business. There have been cases of firms having a large volume of business, with a large profit in the commission business alone, but the losses from these loans would wipe it out. It used to be quite a custom to pay drafts in advance of the shipments; that is, where the buyer in the country was short of money, he would make a draft on the commission firm and use the money during the time he was assembling the shipment, and he would be repaid when the shipment was sold; with no mortgage and no agreement of the shipper that he would ship the live stock and that the proceeds would equal the draft. There have been a good many losses from that practice. It had the tendency to increase the volume of business and commissions and might show a profit on the commission business alone, but the losses from the loaning would wipe it out. I am rather prejudiced against the practice as the result of personal experience. We have lost more money making loans than we will ever make in the commission business if we live to be 75 years old. That has been the experience of a good many in that business.

Recross-examination:

This practice is not general now, we have not made a loan for four years, but we still have some debts carried as bills receivable on the books, resulting from loans made in

previous years. That represents part of the assets of the commission firm. I do not think we made any charges off in 1925. Some of them have been charged off since. The Secretary's audit does not represent the money that I am tied up on myself, personally. It does cover the cost in the operation of the business, but I was personally liable on those loans made to get business for the company, and it helped to promote the commission firm's business, and when the loans went bad, I have had to take them up and pay them personally. (Latter portion of answer stricken.) The Secretary's audit does not cover my personal investments in this direction, separate from that of the firm. There is no investment of the firm which is not covered by the Secretary's audit; there are investments as an individual which are not. (Defendant's motion to strike as not responsive overruled; exception.)

There is no way of telling, either accurately or approxi-
[fol. 897] vidually over a year's time. I calculate that our owner salesmen sold more than our employed salesmen, because they sell steers and the hired salesmen sell cows and heifers, and as a rule there are more steers on the market than cows and heifers. I know of no reason why it should be more difficult to determine the value of a live stock salesman's services than those of another individual rendering service of high character, such as a railroad president.

I participated in the formulation of Tariff No. 2. When I started in the live stock commission business 28 years ago, I was able to form an idea as to whether I was going to be able to pay expenses, because I bought an interest in an established firm with my older brother.

The commission rate charged for the sale of live stock is a negligible factor in the cost of producing live stock by the grower. I think they would have to get out of reason before they would appreciably affect the producer's costs. I would say that if the rates ever got over 1-1½% of the value of the product, that they would be getting up dangerously high. It would take that much difference to appreciably affect the costs to the grower; that would be at least a fifty per cent increase of Schedule No. 2. If the Government did not have authority to prevent increases in rates, then

the fixing by the commission men by agreement of rate increases, up to the point where it would prevent the flow of live stock on the market, (Objection as not proper cross-examination overruled; exception) would be prevented by the competition of independent firms. Any time we get the rate higher than a fair rate, the independent firms will take the business away from us. That will happen any time our rates are unfair or too high. There have been 6 or 8 independents on the market within my knowledge and my 27 years experience.

Redirect examination:

There has never been a full year when our rate schedule has exceeded one per cent of the value of the product. There may have been short periods when values were very low when it ran a little over, but at normal value, rates have never exceeded one per cent. In addition to the possibility of independent firms coming in and taking our business away if we made the rates excessive, there are other complications. Leaving out the Government regulation, the relation between commission man and shipper is taken into consideration in fixing rates, and the effect on the mind of the [fol. 898] shipper and his attitude toward us. In addition, a man can sell at home. Many shippers are selling direct now. A man does not have to go away from home to ship to market.

Recross-examination:

I did not say that the rate would go up to one and a half per cent before it would affect the flow, I said the cost of production. There is a big difference between the cost of production and where a man will ship to.

Redirect examination:

Our rates would not affect the cost of production of those who do not ship to us. Any time our rates get too high, or higher than a fair rate, the shipper can sell at home or ship direct.

Recross-examination:

I did not mean that a small fluctuation of rates will affect the flow of live stock to the market. I mean if we get our

rates higher than a fair rate. I think public sentiment has more to do with that than anything else. It is a question of whether he thinks it is fair or not. I do not think that if we reduced our rate public sentiment would be so approving that they would ship more live stock to our market. Chicago and Sioux City are higher than Schedule No. 2, and still more of our customers have gone there in the past year than for some time. We won't admit that we are not rendering better service in proportion to our rates than Sioux City.

WILL H. WOOD, Omaha: Resident of Omaha 30 years; in the live stock commission business 43 years; 30 years at the Omaha market. Member of Wood-Oswald Company, one of the original petitioners herein, a partnership composed of witness and H. J. Oswald, which was organized January 1, 1913; registered market agency, handling cattle, hogs and sheep and having engaged two owner cattle salesmen, one assistant cattle salesman, one hog salesman and a sheep salesman employed on a half commission basis.

Witness sells all species of cattle and is also manager of the firm. The first six months of the year is usually our light period. The last four months of the year I arise at 4:45 A. M., have my breakfast on the table a little after 5, am in my office by 5:30, am on my horse 6 to 10 hours a day and leave my office at 9 to 11 P. M. In the fall the selling of beef animals stops at 3 P. M.; feeder cattle can be sold at any time as long as it is light enough to see them. The first 6 months of the year I spend in the office from noon or a little thereafter until 5 or 6 P. M.; in the fall I many nights do not go to my office until it is too dark to see to weigh live stock and then have my office work to do at night. Mr. Oswald follows in the same line and sells cattle of all kinds.

I have had my attention called to the details of the audit made by the Gilchrist firm showing the results in 1925 of applying the Secretary's rates to our business. If the [fol. 899] Secretary's order should stand, it would absolutely destroy my entire organization and the firm of Wood-Oswald Company as it stands at present would go out of business.

We have very little business with traders and speculators. I am familiar with that business. There is one class of speculators which deals in stock cattle or hogs; another in feeder stock or odds and ends. Their primary function is to clean up each day's business so that it will not run into another day's. After the packer buyers have left the yards, the commission man is thereby enabled to dispose of these odd animals and clean up the day's business and be ready for the next day. If the Secretary's order became effective, knowing that many of these traders are working on a very narrow margin, and the costs they have to pay, which includes a clearance charge besides their commission charge, and many of them working on short capital, I believe that they would necessarily have to go out of business also. That might not make any difference in the amount of stock handled on the market, but it would make a difference in the buying power, reducing competition and necessarily costing the producer a loss.

Cross-examination:

I do not know of any of these services, the cost of which is not included in the audit of our business, except the services that we render without cost to the producer. There are reasons why it costs us more than the normal firm for advertising. The greater portion of our business is in cattle and it is necessary to extend our acquaintance. Every year I spend a month visiting our patrons in the west and my partner does likewise. We attend all stock meetings as a rule, and our clientage is of such a nature that it demands very strong posting on the market through the Daily Journal-Stockman, market letters, special letters and other means of advertising. Our advertising costs us more than some other firms because at least fifty per cent of our business comes from west of the middle of Nebraska and from there to the Pacific Coast. We have to travel farther and have to do a lot of things other firms do not do. They are closer to their clients. We have lots of clients close, but fully fifty per cent are in the west. I do not know whether there is any element of this advertising which would not be equally advantageous to other firms handling the same line of business. I started this 25 or 30 years ago. Other [fol. 900] firms have not seen fit to follow but if they did they would have had the same expenses that I do.

I admit no superior on the Omaha market in service rendered shippers. I was there before John Clay & Company were. I do not think there is anybody in the live stock commission business in the United States who could tell how many live stock a salesman at a given salary should be expected to sell in a year's time, in order to earn his salary. The question cannot be answered. There is no way of telling. There are mixed cars, straight cars, and so on, and the sales cannot be attached to any one man. We bring our employed salesmen up in our own ranks. I know of no way to calculate whether they are going to be able to earn their salaries and make us profit. The matter of hiring cattle or hog salesmen is a pure gamble and there is no way to fix the salary of a salesman.

R. M. LAVERTY, Omaha: Resident of Omaha 31 years; 31 years in the live stock commission business; sole owner of Laverty Brothers, a registered market agency; one of the original petitioners herein.

I have noted the Gilchrist report as to the effect of the application of the Secretary's rates to my business in 1925. In addition I have made up a statement of the effect of it on my business from April 1, 1926 to April 1, 1927. Without reference to the figures, I think the volume of our business was a little larger in 1926 and the first five months of 1927 than in 1925. The volume in the yards was smaller. In 1925 we handled 2,134 cars; during the 12 months beginning April 1, 1926, we handled 2,295 cars. Between these two periods, I added to my organization a man who was doing an independent business through my firm and is now an employe, and any following he might have is coming to my office.

The total receipts for commissions under Schedule No. 2 from April 1, 1926 to March 31, 1927, were $39,606.37. I draw no salary. My total expense was $32,981.82, leaving as my compensation a profit of $6,624.55. During this period I was manager and acted as hog salesman. I spent the entire forenoon in the yards selling and managed the office in the afternoon, generally until 5 or 6. For the last 30 years I have spent no less than 10 hours a day at the office, part of the time as salesman and the balance as manager

[fol. 901] of the office. During the same period, under the Secretary's order, our gross commissions would have been $34,748.45, and deducting expenses, my compensation for the services I have described and as a result of my 30 years of experience in the business, would have been $1,766.-63. That is not adequate compensation for my time, services and experience and I certainly could not continue in business on that basis. I have no other business besides the live stock commission business and no other occupation that I could turn to. I am fifty years old and if I can continue to receive adequate compensation, I can continue in this business for some time. I was formerly an expert court reporter before I went into the live stock business, but I could not take that up now.

In making up the expenses in this computation, we applied the rent actually paid. We did not begin paying the increased rent until July 1, 1926, so that if we had been paying during that period the same rent we are paying now the expenses would have been greater. Our rent in the new building is twice as much as in the old. We have the same space exactly as we had before. That space was absolutely necessary. If we applied the increased rental to this $1,766.63, it would reduce it by the difference in rent for the months of April, May and June. We are now paying $137.50 a month; we were paying $70 in the old building.

Exhibit 119 is the statement I have been referring to and is correct.

Received without objection.

We have two cattle salesmen, each drawing $4,800 per year. Both of them have been with me for 17 years. They are competent men and worth what I pay them. We also hired a hog salesman in the truck-out division which we did not have to do until just before the yard company built the exchange building, when they built a new truck division and all of the truck-in hogs have to be handled there. Formerly we took them into the regular hog division and one man could handle them all, but now we have to have a special salesman for that work. That means more expense and is absolutely necessary to carry on our business.

We do some business in re-sales or seconds; not a great volume. I am familiar with that business and it is a valu-

[fol. 902] able adjunct to the market. If the rate to traders and speculators were increased I doubt very much if many of the traders could continue in business. They do business on a very narrow margin. What we call the regular speculators simply buy stock and re-sell it again. Our buyers buy a certain amount of stock to fill their orders and they get stocked up and have to re-sell the balance. It is on the sale of the balance that this half rate applies. The existence of this business makes a better market. There is not any argument about that at all. Any time an order buyer comes into the yards, whether he has an order or not, he stimulates the market. The packers don't know whether he has an order or not, but the fact he is there makes a better market and increases competition.

I am familiar with the practice which has sometimes existed in the yards of providing loans for cattle man, either by loaning to them or by re-discounting their paper. We used to loan a good deal ourselves until we had such disastrous results. It increases the volume of shipments very materially, and also the volume of commissions. The resulting commission business might show a substantial profit. On the other side of the ledger our experience has been that if firms continue in this business very long, they will have very severe losses so that, while a commission business itself might show a large profit, the whole business of the firm making such loans might result in a loss. If a man does business on his own money he is not going to take as many chances as he does if he does business on my money. I have shown no such losses for 1925 and 1926. I do not make loans at all.

The practice of paying drafts against shipments is still quite common, I think. It is done by permitting the shipper to draw a draft ahead of the bill of lading before the live stock arrives. It is merely a method of loaning him money for the purpose of permitting him to make his shipment. It is simply an indirect way of loaning to a buyer instead of loaning to the live stock producer. Taking into account the losses which follow the practice of loaning money, they might wipe out the profit. The tendency now is not to follow either of these practices, but to confine the business strictly to the commission business. In my judgment that is the better practice. I would not loan money

on shipments or pay drafts ahead of shipments under any circumstances.

[fol. 903] Cross-examination:

The volume of our business was a little larger for the period 1926-1927 than in 1925. So was our total income. Exhibit 105, showing a net profit to my firm of $4,877.41 in 1925 after deducting actual expense from the hypothetical income that the Secretary's order would produce, including the allowance of $5,000 and $4,000 salaries for owner and salesmen, is correct so far as I know. Exhibit 119 shows a total profit for the 1926-1927 period of only $1,766.63 without deducting anything for owners' salaries. I can explain the discrepancy very easily. Since the opening of the new truck division in the hog yard, we have to have a new hog salesman in the truck division, and twice as much rent as formerly. Our increased volume of business is accounted for by the fact that we took over one member of a firm who was doing business through our house at that time and who brought a considerable volume of business with him. I have to pay him a salary for working for me. Our salary schedule, Exhibit 119, shows one hog salesman, $2,760. He is the only one shown because I am a hog salesman and was in 1925. I sold all the hogs at that time. My 1925 audit shows one hog salesman at a salary of $2,795. He is the man who is selling hogs on the truck division now, but in 1925 he should have been classed as a yard man. He and I did all the work done there and sometimes he would sell the hogs. He sold the hogs for me when I happened to be away. Now he is classed as a hog salesman.

The $35 excess in his salary for 1925 is probably a bonus at Christmas or something of that kind because he is supposed to be getting the same now as he did then. Since I took him into the service as a hog salesman, I had to replace him with a yard man. His salary is not itemized on Exhibit 119 but is included in the other expenses. Expenses have increased since 1925 out of proportion to the increase in my business, for the reasons mentioned. The Stock Yards Company, in April or May, 1926, put in a new rule requiring us to sell truck-in hogs in the truck division, whereas we used to be able to take them down to the other division and sell them. The Secretary's schedule increases the rate on

drive-in hogs over that shown in Schedule No. 2. The business which has increased the expenses is in driven-in hogs. In figuring up our compensation under the Secretary's rates, we included these figures. Our profits on the truck-in business would be greater under the Secretary's order than under Schedule No. 2.

[fol. 904] Assuming that conditions should continue so as to give me the profit of $4,877.41 shown on Exhibit 105, after deducting owners' salaries, there is no question but that if I were assured of such salary and profit I would not have to go out of business, but the trouble is, I cannot do that now. I do not contend that the net profit of $3,414.70 shown in the last column of Exhibit 105, after deducting actual expenses, hypothetical salaries of $5,000 and $4,000 and one-half of the commissions allowed on traders' business, would be so small as to drive me out of business. I do not admit that that is the fair value of my services but I would not have to go out of business. Of course, conditions are different from one year to another.

The elimination of some of the traders by decreasing the buying power of the market might affect the results to the producer. It might affect the volume of live stock coming on the market for sale but not to any considerable extent. The only way it would affect it would be that our market would be lower. Our commissions run proportionately only to volume; hence this decrease in buying power with the resulting decreased profits to the producer would not appreciably affect our commissions, except by diverting shipments to other markets.

Lessened competition would be much more of a factor in diverting shipments than any lessened commission, because there is not one shipper out of a thousand knows what he is being charged, but they do know when the market is lower than the others. I do not know the proportion the gross income from dealers' business handled by our firm bears to my gross income. The mere presence of more people on the market tends to bolster up prices. The packer seeing these people coming on the market does not get scared, but he does start to guessing. When an order buyer comes into the yards, the packer buyer don't know whether he has an order for one or fifty cars and a good many times they do buy fifty cars. If there are no speculator buyers there they

know they are going to buy it all at their own price; when there are competitive buyers, they don't know what they are going to buy, or how much, and it stimulates the market. The Government's audits show that our income from trader and speculator sales in 1925 was $3,900 as against a total income of over $34,000, or about twelve per cent.

My judgment is that the application of the Secretary's [fol. 905] order would drive out of business at least 25% of the traders and speculators and the others would probably do a diminished volume of business. I would say the volume of trader and speculator business would not be over half of what it is now. I did not say that the mere presence of these men in the yards is the only thing. That is one thing. Of course, if they came on the market every day and never had an order, it would not work. The elimination of half the trader and speculator volume, or four per cent of the total would so seriously affect the price of stock coming on the market that producers would probably take their stock to other markets in considerable quantities. My experience has all been in the hog yards, but I would say so far as the hog yard is concerned, it might easily do that.

I have no way of knowing whether the trader's margin of profit is smaller than the producer's margin. We are trying to make the producer's margin larger; that is why we are trying to get a good market for him. Of course, if the producer's margin of profit is cut out, it would discourage him in raising live stock and in sending it to the market. But I have no idea whether the effect on the trader would be more serious than it would on the producer. The producers do business on an immense scale and the trader on a small scale, it is not a fair comparison. There are producers of different sizes all along the line. We used to loan money in the cattle business. We don't do it now; it is out of the picture. We did lose a lot of money years ago when we did it.

I believe that our service is equal to that of any commission man on the Omaha market. I do not think a commission firm could be run any more economically or efficiently than ours is. We have no advantage over anybody so far as conditions are concerned, except long experience and the efficiency with which we perform our services. I know no reason why a firm could not operate just as effi-

ciently as we if they have been in business as long and built up a clientele as we have. If they were starting business, their advertising expenses would be greater; and the expense of getting business might be much higher, depending on seasonable and territorial conditions. This is a seasonable and territorial business. For example, we have business in Hall County, Nebraska. Last year there was a [fol. 906] drouth in Hall County and we did not get any business from there. If we had to go into some territory where we are not known, like a new firm, it would cost us more to get that business than from the people who actually ship to us. These fluctuations take place with respect to all of the other firms. I would not say that the only conditions which might differ between us and other firms is that a new firm starting out would need and have to pay for more advertising. Selling ability varies. It is not quantity, but quality of service that makes money for our shippers. We never know when we go into the yards whether we are going to have ten or three cars of cattle to sell. No firm on the market knows anything about their next year's business. You cannot tell that. It is only by giving service and satisfying customers and getting them to come back that we keep our business and we have no way of finding out what our business is going to be. We don't know whether our business will increase or decrease next year. We have no way of accurately knowing whether the business which may come to us, when the Secretary's order is applied, will result in loss or gain. The only way we can judge the future is by the past, and we cannot tell that way to a certainty. The fluctuating character of the business would mean more to the commission men than to the Stock Yards.

Shippers do not always ship back to the same firm. I have shippers who have been my customers ever since I have been in business. We have others that shop around. There are some whom nobody can satisfy; they are always shopping around. The majority stick to the same firms though if they get good service. The same men do not ship or feed every year. One year we will have an entirely different clientage than we do another year, because a different bunch of cattle will be fed, and different feeders. They come to us one year and to someone else another. If they strike a bad year, they wait for a good one.

Redirect examination:

As a whole, my services have been satisfactory to my shippers. I could not say what proportion come back year after year, but a considerable portion do. We have to have both regular and transient shippers to make up the necessary volume. It is only the regular shippers that make us money. If we got only the transients we could not stay in business. I have not heard a complaint from any of my shippers on rates for so long that I do not know when it happened. So far as I know our shippers do not take any [fol. 907] interest in these efforts of the Secretary to reduce the rates, if we give them good service that is all they ask. Everything that Mr. Stryker said was in accordance with my views.

Recross-examination:

We did not canvass opinions of our shippers before deciding on Tariff No. 2. I do not think there is one shipper in a thousand that would know the difference between Schedules No. 1 and No. 2. No attempt was made to give the shippers information as to the desirability of an increase in rates.

Redirect examination:

My commissions amount to 92/100 of one per cent of total receipts. From hearsay I know that commissions charged on other sales in Omaha, such as real estate, grain and farm produce are very much higher. None of the commissions charged for the exchange of real estate, or grain at the Omaha Grain Exchange, or produce at the Omaha produce markets, are anywhere near as low as our percentages under the present schedule No. 2.

Recross-examination:

I could not say how the proportion of our commissions to value of goods sold, compares with that charged by bond brokers on the sale of bonds. I do not know anything about the bond business. I know quite a little about the real estate business. I have handled a good deal of property in my life. Of course, our commissions are smaller than those

charged for the sale of automobiles. I understand they get about 20% for selling automobiles.

R. W. Hanley, Omaha: Resident of Omaha since 1904; hog speculator on the Omaha market for about 8 years; registered market agency. I know the schedule of commissions charged by petitioners. I patronize them every day. They sell hogs for me, sometimes in the country and sometimes in the yards. They charge me $7 per car, which I believe is half the rate for incoming business. If that rate were increased to $12 a car, I would quit business. It would be too much for selling my hogs and I could not afford to pay it anyhow. That would take all the profits of my business. I have no particular margin; I buy as cheap and sell as high as I can. This year the other fellow has had the margin. I fill orders as well as buying for speculation. In the course of filling orders I sometimes have stock left over to sell. That is the only way you can fill any order; buy them as they come, fill your order with them and sell the balance.

[fol. 908] I also buy hogs for speculation. The increase in commission rates authorized by the Secretary's order would put all of the traders out of business eventually. I don't know how long it would take, it just depends on how much money they have and how long they want to hang on.

Cross-examination:

Ninety-five per cent of my business is transacted through commission men. They sell for me to packers, shippers or speculators, the highest bidder no matter who he is. These purchasers do not differ in character from the purchasers who buy the hogs that are consigned to them by shippers, the same set of buyers buy all the hogs in the yards. Every packer has a certain number of buyers who buy in different denominations, and I have a buyer too, all these buyers are there every day. These buyers buy from commission firms, they do not buy from me, not very much, because they want to discourage the speculators all they can. We create competition and make it harder for them to buy hogs.

Everybody fills stock all they can before selling. Commission men do and the speculator does, of course. There

is no protest against speculator stuff because of this fill. You cannot look at a hog and tell how full it is. I do not believe you could by its stomach; I have been there about 20 years and I cannot tell anything about filling a hog. I wish I could. I cannot tell you whether the fill makes meat as soon as it gets into the animal.

The only reason I know of why I cannot sell direct what I sell through the commission man is the prejudice against the speculator. I am only stating what I think. I have tried a lot of times to find out but never have. Eventually, of course, the packers get all of the hogs. It doesn't make any difference whom they buy them of in the first place. If there is any profit in my operations it is the difference between what I pay and what I sell for. The same class of hogs I sell do not bring any higher price to the packers or any other purchaser than they would if sold to somebody else; but after I get the hogs I change them around a lot. The hogs a commission man gets, he must sell that way. But when I get them I mix them all up and sort them out and put the best ones together and take the poor looking ones out and keep feeding them and making them look better than they do when I receive them and in that way I have better looking hogs to sell. I put the best ones together and sell them in separate bunches and I take care of them [fol. 909] so that each bunch is getting to look better all the time. The commission men cannot do that because they cannot mix different customer's hogs. They must sell them the way they are shipped in. They can sell the hogs belonging to two different men to the same customer but they cannot mix different men's hogs.

Redirect examination:

It takes a pretty shrewd buyer to see a pen ful- of hogs at one time, I cannot and neither can anybody else. I have tried very hard to look at them too, because every time I make a mistake, it costs me money; I have to pay for my mistakes.

Recross-examination:

A commission man could put the off color hogs in a pen if he wanted to.

Redirect examination:

A commission man cannot mix the shipments from two different shippers in one lot. No one can do that until they own the two lots, except the owners.

Recross-examination:

The commission man does not have to sell all the hogs belonging to one man to the same person, but he cannot mix the hogs. Each shipper's hogs must be kept separate from anything else, but if I buy them I can run them all together, sort them into different lots of the same color and they will sell better on account of their appearance. But the commission man cannot mix two men's hogs. The mixing of off color hogs is not one of the reasons for the prejudice of buyers against speculators. The reason for that is the competition. If we stayed out of the market the buyers there would not have so much competition. I do not know anything about whether the buyers do not mind getting in these undergrade hogs that they don't see. What a man don't know won't hurt him, that's a cinch.

H. S. Lyle, Omaha: Resident of Omaha since 1904 or 1905; hog speculator for the past five and a half years; prior to that hog buyer for Armour for about 12 years. I try to buy hogs as cheap and sell them as high as I can. I buy from the commission men. As such buyer I am in competition with the buyers from the packing houses. I don't buy hogs for slaughter, I always resell on the Omaha market. I have only shipped two loads of hogs since I have been speculating. I sell the same day if possible. I re-sell them in different lots. The purpose of that is to shape them up so they will look and sell better. I sell to the commission firms. I pay $7 a car. If that were in- [fol. 910] creased to $12, I could not continue to operate. The increase would be more than my profit for last year. $5.00 a car would be about the same as what I made last year. This increase would eventually put all the speculators out of business. If I cannot make it, I do not believe the rest of them could either.

Cross-examination:

When I say I am in competition with the packers, I do not mean that if I did not bid quite so high as I do, the packers would buy through the Stock Exchange. We are on the market as soon as it opens. The packers get their orders from Chicago, usually it is from a half hour to an hour later. The speculator is there to get his hogs early, if he can get a salesman to sell them to him. He has to get his hogs early and get them sorted and arranged for the market when the buyer comes out. The packer's salesmen bid on them at 8 o'clock A. M. when the market opens. Naturally we have to bid more then if we get them. It is purely speculation. If we did not bid more than the packers, they would take the hogs. In that case there would probably be no sorting. They would take them to the packing house and slaughter them. In the long run the sorting is not a service to the packers, it does not make the hogs any more valuable to them, because they buy them all. The advantage in the sorting is the effect Mr. Hanley described. You may get away with a few cheaper ones. We have to pay less for them than we sell them for to the packers if we are going to make any profit. There are different things that govern the market. Increased competition is one. I might buy a load of hogs at 8 o'clock and the outside shippers may get orders for a load in the next thirty minutes and it might force the market up 25 to 40 cents a hundred on the packer inside of an hour and if it does, I make a profit. It is not necessarily my competition that makes that increase in prices. That comes from conditions transpiring before the purchase. If you take 25 or more speculators, it would have some bearing on the market. We sell most of our hogs to the packers, some to the shippers; but we buy in competition with the packers, and pay less for them than we sell them for to the packers. My bid serves to keep the price up merely because I am another buyer. I try to keep the price down as low as possible.

Redirect examination:

If I were not there, the packer would get the hogs cheaper than the shipper now gets them. He would because of lack of competition.

[fol. 911] Recross-examination:

They don't know, when I buy these hogs, what I am going to do with them. I have bought 8 or 10 loads in a day. They did not know but what I was going to ship them to another market. I don't sell the hogs myself; I put them in the commission firms' hands and let them sell them, or I might ship them; I don't, but I might, and it makes that much competition on the market; there are other speculators there too.

Defendants introduced evidence as follows:

RICHARD S. SHORTELL, Los Angeles, California; Senior accountant in the Department of Agriculture; accountant 20 years, certified 6 years. I am familiar with the conclusions in the order of the Secretary in Docket No. 143, which is the subject of the plaintiffs' petition herein and the maximum rates prescribed therein for use on the Omaha live stock market. At the direction of the Secretary, I made or caused to be made, an audit of the business of petitioners for the purpose of ascertaining the income which would be produced from their business in the year 1925 if they had operated under his order. Exhibit 124 shows the net cars handled by petitioners in 1925, reducing drive-ins, truck-ins and dealer and speculator sales and purchases to net cars. The audit was taken from the account of sales for each firm with the exception of two firms in which we had to refer to our original papers; the books and records not being available on the second audit.

Exhibit 125 shows the total income from selling, applying the commissions as originally adopted and accepted in Docket 143, and the commissions for the same period applying the Secretary's tariff, taken from the account of sales, except in the cases mentioned. The total gross income applying the Secretary's tariff as shown by Exhibit 125, is $1,992,663.70. The figure shown in plaintiffs' Exhibit 105 is $1,983,433.42, a difference of $9,430.28, or 47/100 of one per cent of the total.

The total appearing in Exhibit 125, includes the three firms which did not have their account sales available. The figures in red in Exhibit 125 represent the reduction in the

commissions of the particular firms, applying the Secretary's tariff, as compared with what they actually received under the former tariff. The figures in black represent in-
[fol. 912] creases in the gross income, applying to the Secretary's tariff. The figures in red at the bottom indicate the total decrease, taking into account this increase. Exhibits 124 and 125 received without objection.

It was agreed that the audit made by the witness Shortell, resulting in the data contained in Exhibits 124 and 125, was made during the present year and during the pendency of this suit, so far as the second and third columns are concerned. The data contained in the first column of figures in Exhibit 124 was obtained from an audit made prior to the hearing before the Secretary in Docket 143; but the decreases in petitioners' commissions resulting from the application of the Secretary's order as shown by the second column of Exhibit 125, and therefore the actual commissions that would have been received in 1925 by the petitioners, as shown in the third column, were obtained by the audit made during the pendency of this suit and were not part of the audit made at and prior to the hearing before the Secretary.

[fol. 913] Defendants offered in evidence Exhibit 126, being the deposition of WILLIAM E. REED, which deposition is as follows (examined in chief by petitioners' counsel):

Resident of Omaha; manager for John Clay & Company, live stock commission men; registered market agency since the Packers and Stockyards Act first took effect. The firm has done business at Omaha since September, 1887, first under the name of Clay, Robinson & Company. Its headquarters are in Chicago and it operates at East Buffalo, Chicago, South St. Paul, Sioux City, South St. Joe, Kansas City, East St. Louis, Denver, Ogden and Fort Worth. It is a copartnership now composed of John Clay, F. H. Connor, C. A. Kleenan, Alan F. Wilson, and Charles G. Smith. I manage the Omaha office and have charge of all the details of the Omaha business, whose accounts are kept at Omaha. The firm buys and sells cattle and hogs and sheep on commission. It also loans money but not as an agency, the loans being made for our financial offices and we make no profit therefrom.

We operated under Omaha Schedule No. 1 until Schedule No. 2 took effect and are now operating under the latter. We received a copy of the Secretary's order of November 19, 1926, and since the date when it would have become [fol. 914] effective have caused a separate account to be kept of the proceeds which we would have received under that order if it had been in effect. We have made the collections as per Schedule No. 2, but have taken credit only for the commisions named in the Secretary's order, placing the difference in the suspense account. We also allowed a reserve to account for the difference between Nos. 1 and 2. These accounts enable us to tell what are the results of applying the Secretary's order to our business since February 1, 1927. Applying the Secretary's order, we have been having losses every month. Assuming that the Secretary's order should go into effect and remain in effect so that we actually complied with it in our business, the effect of the application of the order upon our business in Omaha would be that we would either have to quit or operate at a loss, or cut our expenses to meet it, which does not seem possible. It would not be possible to operate efficiently and cut our expenses sufficiently to come within the revenue that we would receive, and leave any profit.

I have been managing some branch of our business for nearly 30 years. It has been part of my duties to employ salesmen. In our business, and considering the volume we have handled for the past two or three yars, we cannot employ a salesman who has no interest in the business except his salary, who will handle the business satisfactorily, for less than $6,000 and we have been paying $7,500 and even above that. We are not noted as a high salaried office. Other firms pay more than we do.

If the portion of the Secretary's order took effect which provides for charging traders the full commission charged shippers, I think it would have a very adverse influence upon the traders and I rather imagine it would cut the volume away down, but that is not the serious part. Their operation means a good deal to the buying power in the yards. The more buyers we have, the better market we have, and if we shut them off it would have a serious effect on the market. I believe in doing all we can to help out the buying power. We have traders who deal wholly in

what are termed stocks and feeders; cattle bought on the market are sorted and sold to the firms; others are purely speculators who buy cattle and re-sell, depending on the advance in price for their profit. Smaller operators deal in specialties, like cows. As a practical matter, we would hesitate to avail ourselves of the permission contained in the Secretary's order and actually increase that rate to [fol. 915] the full commission unless necessary under the rules of the Exchange, or the laws laid down for us. We would not favor making the increase. We would be in favor of continuing the half rate even though it increased our losses. We have felt in our office that it meant something to the market to help these fellows.

Last year the ratio of gross commissions received by us to the total volume of the proceeds of purchases and sales was .85 of one per cent. It has been up to one per cent only one year since 1912; that was 1925 under Tariff No. 1. The firm of John Clay & Company at Omaha cannot make any serious reduction in its expenses without curtailing the efficiency of the service rendered to our customers.

Cross-examination:

We conclude that the Secretary's schedule, if applied, would compel us to operate at a loss by subtracting from the gross income which would be produced by the Secretary's schedule, the actual cost at which we had been operating. I believe the conditions under which we operate are typical of those prevailing at Omaha. It costs us more to do our business in proportion to the volume than the usual run of firms. There is a good reason why it costs us more, because all our men are salaried men and the larger the firm the smaller the percentage of profit; that applies to every business. The unit expense of doing business does not always increase with the size of the firm, but the policy and the service and all that are more expensive. When I say "profit" I mean unit profit. If that is true, it follows that if the unit cost of our business *is* increasing, the unit cost of the large firm is larger for the large firm always, the same as it costs a large bank more to do business, they have a good many more demands upon them. I would say it costs more to do business per dollar; our expenses are higher. I do not think that is generally contrary to the

usual principle, for a service organization. The large firm has to do more and does do more and naturally it costs more. We cannot run our business like some of the smaller firms. We are one of the largest firms at Omaha. It is more expensive for us to render the service that we do render. In some particulars we are rendering service that the balance of the commission firms do not render. Some [fol. 916] other firms may be rendering some service that we are not, but I do not think so. The larger the firm, the closer they have to look after their business. I will say that the expense of a large firm in proportion to the size of the business it handles, is larger than that of a small one. I think that is true as a general business proposition. The cost of the service a big firm gives is greater. If you measure the services given you will find that it costs them more, but by a reasonable figure, their profits may be more. It costs us more and our profits are less than a small firm, our unit profits in proportion to the size of the business.

We handle six to nine thousand cars of live stock a year. In 1926 we handled approximately 6,800; between 3,000 and 4,000 cattle; last year was a poor cattle year. Assuming that there are 8 firms at Omaha handling over 3,500 cars of live stock a year, I am not sufficiently well acquainted with them to say whether it is more expensive for us to operate than the balance of those firms in proportion to the size of our business. I think we do more extensive advertising. Part of what we refer to as advertising is a very large service to the customer, such as the publishing and distribution of information on the livestock market through the Journal-Stockman, and sundry and divers newspapers. All of this market information is usually published in the newspapers and by the Department of Agriculture and given to the press every day so that in giving them this market paper we are giving them something which they might obtain through their daily paper.

It is impossible to obtain a salesman at Omaha for less than $6,000 a year where he handles a volume of business. It is rather an unusual question to ask what volume a man drawing that salary should handle. I would say a firm handling over 3,000 cars would pay or would have to pay, $6,000 or from there on up. I think that we could get a salesman for $6,000 who will sell 3,000 cars of live stock per

year efficiently. If he sells fewer cars, I presume his salary would be scaled off accordingly. He should not sell less than 3,000 cars of live stock per year on the basis of a $6,000 salary, but if you get a man capable of doing that you have got to pay him that much or more. He could sell as many cars of hogs, for instance, as of cattle, if the receipts of the yards run that way and he was given the op- [fol. 917] portunity. Our cattle man sells the most, our sheep man the next and the hog man the least. If we pay higher salaries than any other firm, it is because we have a greater volume of business. One salesman is worth more than another. There are considerations other than the amount he can sell in a year's time. I have future business to look out for. A man can sell 3,000 cars and not do it efficiently and in the next year he may not sell 2,000. I mean the salesman who has the capacity to sell and do it agreeably to the customer so as to maintain his good will. That problem applies to all commission men. If everything were equal, I know of no reason why it should cost us more to employ cattle salesmen in proportion to the work they do than it does any other firm, but everything is not. In some firms the salesmen are owners. With us our men are salaried so every item is an expense. I do not know of any reason why it should cost us more than the ordinary firm to get such service as office help, bookkeepers, stenographers and so on, except to maintain the standing of the firm. We are more particular; we are very careful about our financial standing and we try to keep the character of our men up to the highest notch. We would not hire a man that other people are not getting along with and it may cost us more. The variations every year are astounding. What may be profit on selling a load of cattle this year, will be cut in two the next. The difference in volume may have something to do with it. There are a hundred and one things that may affect it. The 1925 figures do not mean anything. You will find that no two years are alike. Some years profits may double; the next year they will be cut in two. These conditions will affect any other firm just the same. Business will fluctuate between different firms; the same thing that may have influenced our business in 1925 may not have influenced anyone else for that year. There are some conditions which would affect one firm and not

affect another, other than those which simply lead a customer to take his business away from one firm and give it to another.

Some small firms, in order to get business, might hire a high priced saleman and cut their profit away down and in another year that would be wiped out, or you have increased the volume of their business so that the profit would be up again. Hiring a high priced salesman to get new business might be a question of bad judgment and it might be a mat- [fol. 918] ter of waiting until he was acquainted with the following. Considering all of these conditions that affect the market year in and year out, I do not know of any particular reason why it should be more expensive for us to sell a carload of stock or to get necessary clerical assistance than any other firm.

I think a large firm always has more difficulty getting business, both doing it and increasing it. I do not mean that a large firm is an uneconomical proposition. The expense increases as the firm increases in size, but if you can handle a large enough business to make $30,000 a year, where the small firm only make $10,000, it is not an undesirable thing to do. As the business increases in size, the cost of operation per unit increases also, so that the rates remaining the same, the profit decreases. I do not know anything about the fact that a number of firms at the top of the market here operate at loss per unit cost than we do. In some cases we give more in the way of service. Our own market paper costs a lot of money and has value. Practically everything in it will not be found any place else. It contains articles by live stock market authorities. It has tables and quotations; perhaps some of them can be had at other places, but it is unique. We are not under obligation to furnish this separate service, but we do it. It is entirely voluntary. It has not any bearing on the actual service of buying and selling but it has an influence on the commission business and is helpful to the men we serve, both before and after they come to market. It is a service which no other firm on the market renders.

From the point of view of the general market at Omaha, it is desirable to furnish service to dealers on the market at less than the producer or other customer has to pay, because whenever you help the buying power of the market,

you help every man who is interested in it and the more extensively we can get these people to operate, the more help it is going to be on the market. The same argument would not apply to persons bringing live stock on the market for sale. That would not help the buying power, the outlet. Reducing the rate to the trader increases the buying power on the market by removing a handicap that would be placed there if his rate was increased. If it were it would cut down his profits that much more. The same thing would not cut down the profit of the producer. The producer has nothing to do with the buying power. The trader who deals in live stock is a part of the buying power. [fol. 919] He must buy on the market before he sells. The trader does his own buying and the increase has reference only to that part of his operations. He turns over on the market, for which he has to pay a commission. The proportion of live stock sold is small but amounts to a great deal in the aggregate. Assuming that a car of live stock is sold, on the one hand, to the packer buyer or any other country buyer who wants it for slaughter or feeding and, on the other hand, that it is sold first to a dealer and by him sold either directly or through a commission man to the ultimate user, either packer or feeder, there is in that particular case no more buying power in the one case than in the other. A man in making his purchase will not always know what is suitable for a country customer and he must have something that can be re-sold. If the commission men should exercise their option under the Secretary's order and charge traders the full rate, I think it would slow up the volume of business a good deal. I think it would decrease the profits of the producer. If you charge the dealer more money you slow up the buying operations and ultimately affect the producer by removing his competition. You would not pass along the increase in commissions. It naturally follows that that much would be added to the spread in prices while the live stock is passing through the hands of the dealer.

Redirect examination:

Our firm sends the Journal in addition to our own publication. Our customers all ask for it. Not a Journal Stockman is sent out except by request. That is not true of our

own paper although there is always the expression that they are glad to have it. We now have two cattle salesmen. We had three in 1926 and four in 1925. The number of cars a salesman can sell in a year depends on the market and the classes. There is no such thing as knowing in advance how many cars of cattle a salesman can sell in a year. We do not have $6,000 salesmen who sell regularly 3,000 cars per year. We do not have individual salesmen who sell 3,000 cars each per year. There is no such thing on the market.

The relationship between the live stock commission firm and the shipper is a personal service relationship absolutely. What we sell is the personal service of either members or employees of the firm. Capital is to some extent essential in the business. There are times when the day's business will amount to $200,000. The idea of the Department is to pay out when we make collections but we feel it essential to make prompt remittances and in many cases [fol. 920] it is necessary to use our own money to do that. For a small firm, about all that would be needed would be enough capital for a membership and sufficient working capital to take care of checks at the bank. In a good many instances they will have to add something to that working capital through a line of credit at the bank.

Aside from actual buying and selling and furnishing the market information, we are daily interrogated in an advisory way about the future of the market. We have customers who have been with us for years and years but there is a constant change going on. I could not say what percentage continues. We have customers who stay with us 25 or 30 years.

Recross-examination:

Just from the standpoint of whether or not he was making a profit, I would expect a salesman to whom we paid $6,000 salary to handle 3,000 cars a year. Otherwise there would not be any use of paying him $6,000.

(Here follow Exhibits 103, 104, 105, 106, 107, 108, 109, 110, and 111, marked side folio pages 921 to 949, inc.)

[fol. 921] Additional Exhibits Received in Evidence by the Special Master and Considered by the Court

EXHIBIT 103

Schedule of Commissions under Secretary of Agriculture's Order upon Application of the Tariffs Therein to the 1925 Business of Plaintiffs

[fol. 922]

Schedule 1

Omaha Live Stock Exchange, Omaha, Nebraska

Volume of Business, Year 1925

Firm No.	Firm name	Total cars handled	Sale & purchase value of cars handled	Commissions under Sec'y of Agriculture's order	Commissions under Sec'y of Agri. order excluding increase in dealers and speculators
1	Bryson Bros.	2,446.99	$4,298,517.05	$37,508.15	$36,237.62
2	Byron Clow Co.	1,233.06	2,230,466.55	18,781.60	18,452.03
3	Farris-Marcy Co.	1,738.39	3,013,151.83	26,608.60	24,523.36
4	Inter-State Live Stock Commission Co.	4,206.38	7,228,387.00	64,899.20	62,433.65
5	McAdams Bros. & Ihnen.	1,255.79	2,201,206.41	18,953.55	17,901.33
6	Randall & Co.	1,907.72	3,195,552.16	30,143.85	29,418.15
7	Wm. R. Smith & Son.	1,917.12	5,530,531.26	34,885.80	34,845.00
8	Wood Bros.	5,251.35	9,615,088.72	81,597.51	79,220.69
9	Bowles Live Stock Commission Co.	4,609.66	8,422,686.57	69,087.80	68,138.28
10	Clifton Commission Co.	1,181.80	1,822,433.70	18,423.55	18,691.00
11	Dworak-Stolinski Commission Co.	779.80	1,314,101.52	12,171.52	12,016.12
12	Ingwersen & Daugherty	1,126.09	2,118,549.86	17,045.80	16,863.19
13	Lindley-Cahow Commission Co.	6,547.17	13,638,007.73	105,054.99	103,462.27
14	John Ralston Commission Co.	2,750.38	4,764,856.81	40,674.20	38,788.75
15	Security Live Stock Commission Co.	1,105.09	1,892,655.88	16,412.10	15,736.96
16	Winn Bros.	418.67	810,854.92	6,019.00	5,955.79
17	Boetel Live Stock Commission Co.	544.52	.....	8,537.05	8,053.58
18	John Clay & Co.	6,400.72	13,932,265.50	102,579.90	101,516.38
19	Allen Dudley & Co.	2,138.74	4,421,916.47	32,486.90	29,157.20
20	Greene, Madden & Co.	1,450.55	2,716,476.82	21,725.45	18,955.38

EXHIBIT 103

Schedule of Commissions under Secretary of Agriculture's Order upon Application of the Tariffs Therein to the 1925 Business of Plaintiffs

[fol. 922]

Schedule 1

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11	Dworak-Stolinski Commission Co.	779.80	1,314,101.52	12,171.52	12,016.12
12	Ingwersen & Daugherty	1,126.09	2,118,549.86	17,045.80	16,863.19
13	Lindley-Cahow Commission Co.	6,547.17	13,638,007.73	105,054.99	103,462.27
14	John Ralston Commission Co.	2,750.38	4,764,856.81	40,674.20	38,788.75
15	Security Live Stock Commission Co.	1,105.09	1,892,655.88	16,412.10	15,736.96
16	Winn Bros.	418.67	810,854.92	6,019.00	5,955.79
17	Boetel Live Stock Commission Co.	544.52	.....	8,537.05	8,053.58
18	John Clay & Co.	6,400.72	13,932,265.50	102,579.90	101,516.38
19	Allen Dudley & Co.	2,138.74	4,421,916.47	32,486.90	29,157.20
20	Greene, Madden & Co.	1,450.55	2,716,476.82	21,725.45	18,955.38
21	Lee Live Stock Commission Co.	1,131.54	2,263,482.40	17,189.60	17,039.99
22	Omaha Live Stock Commission Co.	3,506.39	6,429,330.20	52,991.99	51,096.15
23	Rosenbaum Bros. & Co.	2,416.85	5,309,236.18	38,398.20	37,634.60
24	Williams & Sons	478.01	750,547.18	9,362.20	9,315.69
25	Bliss, Wellman & Hopkins	2,534.39	4,652,921.49	37,227.10	34,685.82
27	Donahue Bros., Inc.	2,109.28	3,606,933.29	34,095.20	33,991.19
28	Great Western Commission Co.	5,458.27	10,009,984.12	84,235.15	83,816.52
29	Laverty Bros.	2,134.38	3,737,846.96	32,324.70	30,861.99
30	Mutual Live Stock Commission Co.	3,952.25	7,007,897.16	59,639.90	54,969.34
31	Charles O. Robinson & Co.	2,919.07	5,304,849.61	44,571.70	43,015.39
32	Ward-Murphy Live Stock Commission Co.	747.23	.....	10,431.80	10,382.52
33	Bliss & Son	1,130.09	904,867.87	17,405.60	16,695.03
34	Byers Bros. & Co.	3,486.41	6,161,599.46	55,979.80	52,769.70
35	W. F. Denny & Co.	1,447.51	2,652,529.33	22,377.15	21,943.65
36	Gant Live Stock Commission Co.	249.49	533,148.34	4,668.20	4,405.90
37	Laird Live Stock Commission Co.	910.84	1,690,033.17	14,217.50	14,011.10
38	Melady Bros.	2,803.71	5,529,675.18	42,108.10	40,731.95
39	Roberts Bros. & Rose	6,572.40	11,623,289.47	101,454.50	98,313.46
40	Triangle Live Stock Commission Co.	2,234.20	4,498,338.37	34,753.15	34,104.89
41	Lou Bick Commission Co.	1,260.20	1,956,572.58	19,762.05	18,330.22
42	[fol. 923] Burke-Rickly Co.	1,548.98	2,893,207.00	22,876.55	19,538.59
43	Cox-Jones Commission Co.	5,073.12	10,426,823.64	77,936.65	77,049.71
44	Frazier-Johnson Co.	1,648.12	2,912,427.75	26,100.45	25,733.60
45	Jacob Jacobs Live Stock Commission Co.	907.36	1,685,752.42	13,863.35	13,295.13
46	Martin Bros. & Co.	3,263.33	6,099,151.21	51,589.30	51,002.92
47	L. E. Roberts & Co.	994.69	1,806,317.84	14,650.60	14,395.94
48	Tagg Bros. & Moorhead	5,132.03	10,238,598.92	83,431.50	81,718.18
49	Geo. M. Wood Sheep Commission Co.	307.38	840,920.39	5,511.00	5,459.20
51	Alex G. Buchanan & Son	1,852.16	3,441,972.83	27,110.65	24,341.95
52	Corn Belt Commission Co.	1,901.15	3,379,117.55	29,178.36	27,960.83
53	Fonda-Kells & Christie Co.	1,798.52	3,060,733.27	27,793.30	27,401.30
54	Jackson Live Stock Company	882.11	1,619,938.59	13,751.90	13,311.70
56	Record Live Stock Commission Co.	2,365.97	4,157,242.68	36,566.00	36,102.70
57	Snyder-Malone-Coffman Co.	833.63	1,564,062.47	12,680.80	12,467.18
58	Wood-Oswald Co.	1,998.23	3,474,816.15	31,900.25	31,569.39
60	Globe Live Stock Commission Co.	812.71	.....	11,702.65	11,441.08
		127,811.99	$235,391,871.83	$1,983,433.42	$1,921,271.23

Ratio of Commissions to Value of Sales & Purchases excluding Firms No-. 17, 32, and 60 is .83%.

[fols. 924 & 925]

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Firm No.	Firm name	Selling salaries		Buying salaries		T sel
		Resident owners	Employees, salesmen	Resident owners	Employees, buyers	
1	Bryson Bros.	$9,000.00	$7,800.00	.....	.....	$
2	Byron Clow Co.	10,000.00	2,700.00	.....	.....	
3	Farris-Marcy Co.	4,000.00	9,877.50	.....	$1,380.00	
4	Inter-State Live Stock Commission Co	14,000.00	5,885.00	.....	2,650.00	
5	McAdams Bros. & Ihnen	9,000.00	1,900.00	.....	740.00	
6	Randall & Co.	13,000.00	2,400.00	$5,000.00	.....	
7	Wm. R. Smith & Son	5,000.00	2,700.00	.....	.....	
8	Wood Bros.	10,000.00	13,425.00	.....	1,500.00	
9	Bowles Live Stock Commission Co.	10,000.00	9,900.00	.....	3,275.00	
10	Clifton Commission Co.	8,666.67	6,800.00	.....	.....	
11	Dworak-Stolinski Commission Co.	9,000.00	1,500.00	.....	.....	
12	Ingwersen & Daugherty	10,000.00	4,909.33	.....	.....	
13	Lindley-Cahow Commission Co.	10,000.00	27,325.77	.....	.....	
14	John Ralston Commission Co.	5,000.00	19,496.81	.....	.....	
15	Security Live Stock Commission Co.	5,000.00	6,300.00	.....	.....	
16	Winn Bros.	9,000.00	.....	.....	.....	
17	Boetel Live Stock Commission Co.	5,000.00	.....	.....	.....	
18	John Clay & Co.	.....	23,700.00	.....	8,900.00	
19	Allen Dudley & Co.	9,000.00	7,210.00	.....	.....	
20	Greene, Madden & Co.	9,000.00	2,400.00	.....	.....	
21	Lee Live Stock Commission Co.	10,000.00	1,800.00	.....	.....	
22	Omaha Live Stock Commission Co.	13,000.00	8,900.00	.....	3,600.00	
23	Rosenbaum Bros. & Co.	.....	22,463.34	.....	.....	
24	Williams & Sons	9,000.00	.....	.....	.....	
25	Bliss, Wellman & Hopkins	9,000.00	7,367.50	.....	.....	
27	Donahue Bros., Inc.	5,000.00	5,562.50	5,000.00	.....	
28	Great Western Commission Co.	9,000.00	10,844.40	.....	11,027.50	
29	Laverty Bros.	4,000.00	12,595.00	.....	.....	
30	Mutual Live Stock Commission Co.	10,000.00	7,937.50	.....	2,400.00	
31	Chas. O. Robinson & Co.	.....	24,104.09	.....	.....	
32	Ward-Murphy Live Stock Commission Co.	9,000.00	2,000.00	.....	.....	
33	Bliss & Son	5,000.00	6,400.00	.....	.....	
34	Byers Bros. & Co.	.....	17,420.00	.....	3,700.00	
35	W. F. Denny & Co.	5,000.00	6,537.50	.....	.....	
36	Gant Live Stock Commission Co.	5,000.00	.....	.....	.....	
37	Laird Live Stock Commission Co.	5,000.00	2,430.00	.....	.....	
		4,000.00	12,151.15	.....	400.00	

[fol. 927]

EXHIBIT 105

Schedule of Results of Application of Secretary's Order upon Deducting Adjusted Costs Shown in Exhibit 104 from the Order as Shown in Exhibit 103

[fol. 928]

Schedule 3

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Omaha Live Stock Exchange, Omaha, Nebraska

Results of Application of Secretary of Agriculture's Order, Year 192

Firm No.	Firm name	Commissions under Sec'y of Agriculture's order	Cost of handling live stock	Results	cl de
1	Bryson Bros.	$37,508.15	$35,511.19	$1,996.96	
2	Byron Clow Co.	18,781.60	24,440.01	5,658.41*	
3	Farris-Marcy Co.	26,608.60	26,511.58	97.02	
4	Inter-State Live Stock Commission Co.	64,899.20	58,247.83	6,651.37	
5	McAdams Bros. & Ihnen	18,953.55	21,590.18	2,636.63*	
6	Randall & Co.	30,143.85	37,078.88	6,935.03*	
7	Wm. R. Smith & Son	34,885.80	33,150.82	1,734.98	
8	Wood Bros.	81,597.51	88,899.22	7,301.71*	
9	Bowles Live Stock Commission Co.	69,087.80	60,021.11	9,066.69	
10	Clifton Commission Co.	18,423.55	21,955.94	3,532.39*	
11	Dworak-Stolinski Commission Co.	12,171.52	14,587.65	2,416.13*	
12	Ingwersen & Daugherty	17,045.80	23,645.79	6,599.99*	
13	Lindley-Cahow Commission Co.	105,054.99	87,130.83	17,924.16	
14	John Ralston Commission Co.	40,674.20	43,179.00	2,504.80*	
15	Security Live Stock Commission Co.	16,412.10	18,005.35	1,593.25*	
16	Winn Bros.	6,019.00	11,953.21	5,934.21*	
17	Boetel Live Stock Commission Co.	8,537.05	9,303.72	766.67*	
18	John Clay & Co.	102,579.90	108,180.49	5,600.59*	
19	Allen Dudley & Co.	32,486.90	29,326.06	3,160.84	
20	Greene, Madden & Co.	21,725.45	20,473.68	1,251.77	
21	Lee Live Stock Commission Co.	17,189.60	21,652.13	4,462.53*	
22	Omaha Live Stock Commission Co.	52,991.99	47,986.80	5,005.19	
23	Rosenbaum Bros. & Co.	38,398.20	52,750.28	14,352.08*	
24	Williams & Sons	9,362.20	15,198.17	5,835.97*	
25	Bliss, Wellman & Hopkins	37,227.10	40,872.52	3,645.42*	
27	Donahue Bros. Inc.	34,095.20	35,975.08	1,879.88*	
28	Great Western Commission Co.	84,235.15	87,122.90	2,887.75*	
29	Laverty Bros.	32,324.70	27,447.29	4,877.41	
30	Mutual Live Stock Commission Co.	59,639.90	43,795.85	15,844.05	
31	Chas. O. Robinson & Co.	44,571.70	60,560.35	15,988.65*	
32	Ward-Murphy Live Stock Commission Co.	10,431.80	17,345.72	6,913.92*	
33	Bliss & Son	17,405.60	18,943.75	1,538.15*	
34	Byers Bros. & Co.	55,979.80	50,712.35	5,267.45	
35	W. F. Denny & Co.	22,377.15	20,094.76	2,282.39	
36	Gant Live Stock Commission Co.	4,668.20	6,891.43	2,223.23*	

[fols. 930 & 931]

EXHIBIT 106

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Schedule of Depreciation, All Pla

Omaha Live Stock Exchange, Oma

Depreciation, Year 192

Firm No.		Total depreciation taken, 1925	Book value of equipment				Depreci reser (availa
			Furniture & fixtures	Horses, etc.	Automobiles	Total	
1	Bryson Bros.	$464 62	$3,129 19	.....	.....	$3,129 19	$2,382
2	Byron Clow & Co	None	850 56	$328 05	.....	1,178 61	...
3	Farris-Marcy Co.	"	.....	.....	.....	None	...
4	Interstate Live Stock Com. Co	"	698 00	200 00	$946 00	1,844 00	...
5	McAdams Bros. & Ihmen	"	275 15	90 00	.....	365 15	...
6	Randall & Co	383 69	2,557 99	.....	.....	2,557 99	383
7	Wm. R. Smith & Son	340 23	952 35	.....	1,245 00	2,197 35	340
8	Wood Bros.	288 52	3,144 52	.....	1,145 30	4,289 82	1,609
9	Bowles Live Stock Commission Co	615 99	1,891 79	732 32	629 89	3,254 00	1,730
10	Clifton Commission Co	100.00	195 00	.....	.....	195 00	100
11	Dworak Stolinski Commission Co	None	300 00	.....	300 00	600 00	...
12	Ingwersen & Dougherty	"	357 60	.....	.....	357 60	...
13	Lindley-Cahow Commission Co	218 00	2,637 80	.....	.....	2,637 80	381
14	John Ralston Commission Co	None	.....	.....	.....	None	...
15	Security Live Stock Commission Co	"	600 00	.....	400 00	1,000 00	...
16	Winn Bros.	"	500 00	.....	.....	500 00	...
17	Boetel Live Stock Commission Co	98 88	845 00	.....	.....	845 00	98
18	John Clay & Co	None	.....	.....	.....	None	...
19	Allen Dudley & Co	"	1,144 55	.....	.....	1,144 55	...
20	Green-Madden & Co	"	.....	Depreciated Out	....	.....	...
21	Lee Live Stock Commission Co	27 18	1,411 80	110.00	.....	1,521 80	27
22	Omaha Live Stock Commission Co	353 12	1,650 62	295 00	225 10	2,170 72	1,170
23	Rosenbaum Bros. & Co	253 98	1,465 97	350 00	611 37	2,427 34	599
24	Williams & Sons	50 00	400 00	.....	.....	400 00	50
25	Bliss Wellman & Hopkins	268 36	1,619 25	170 00	.....	1,789 25	268
27	Donahue Bros., Inc	373 16	1,468 16	170 00	375 00	2,013 16	373
28	Great Western Commission Co	None	5,698 49	.....	334 24	6,032 73	...
29	Laverty Bros.	"	1,000 00	.....	.....	1,000 00	...
30	Mutual Live Stock Commission Co	155 00	950 19	.....	586 04	1,536 23	155
31	C. O. Robinson & Co	None	5,420 61	.....	.....	5,420 61	538
32	Ward-Murphy Live Stock Com. Co	"	322 23	.....	.....	322 23	...
33	Bliss & Son	"	755 00	.....	785 00	1,540 00	...
34	Byers Bros. & Co	"	2,000 00	250 00	.....	2,250 00	...
35	W. F. Denny & Co	"	.....	.....	.....	None	...
36	Gant Live Stock Commission Co	"	275 00	.....	.....	275 00	...
37	Laird Live Stock Commission Co	"	1,500 00	.....	.....	1,500 00	...
38	Melady Bros.	400 00	1,460 00	.....	600 00	2,060 00	850
39	Roberts Bros. & Rose	627 51	3,700 98	300 00	406 69	4,407 67	622

[fols. 933 & 934]

EXHIBIT 107

Capital Investment in Exchange Memberships, 1925

Omaha Live Stock Exchange, Omaha, Nebraska

Memberships, Year 1925

Firm No.	Firm name	Value of memberships set up	Memberships issued to	m
1	Bryson Bros.	None		
2	Byron Clow & Co.	None		
3	Farris-Marcy Co.	None		
4	Inter-State Live Stock Commission Co.	$4,300.00	(C. F. Cox (Jas. J. Donahue (R. L. Reynolds (Harry H. Francis	
5	McAdams Bros. & Ihnen	None		
6	Randall & Co.	6,500.00	(T. B. McEntee (A. J. Randall (J. J. Robb	
7	Wm. R. Smith & Son	50.00	G. S. Taylor	
8	Wood Brothers	None		2

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9	Bowles Live Stock Commission Co.	8,120.00	(Win C. Davidson (Martin Heller (Lance Jones (Rob Cooper	
10	Clifton Commission Co.	None		
11	Dworak-Stolinski Commission Co.	10,000.00	(Frank Dworak (T. J. Stolinski	
		1,500.00	L. Oliver (Traders Membership)	
12	Ingwersen & Dougherty	None		
13	Lindley-Cahow Commission Co.	None		1
14	[fol. 935] Ralston Live Stock Commission Co	None		
15	Security Live Stock Commission Co.	5,000.00	John Cunningham	
16	Winn Bros.	None		

[fol. 939 & 940]

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EXHIBIT 108

Ratio of Commissions to Receipts, 1925, under Tariff N

Omaha Live Stock Exchange, Omaha, Nebraska

Ratio of Commissions & Net Results to Gross Receipts, Y

Firm No.	Firm name	Sale & purchase value of live stock handled	Actual commissions received	Expense of h dling live st
1	Bryson Bros.	$4,298,517.05	$40,934.33	$35,511
2	Byron Clow Co.	2,230,466.55	20,550.79	24,440
3	Farris-Marcy Co.	3,013,151.83	27,164.57	26,511
4	Inter-State Live Stock Commission Co.	7,228,387.00	71,324.73	58,247
5	McAdams Bros. & Ihnen	2,201,206.41	20,319.91	21,590
6	Randall & Co.	3,195,552.16	33,865.64	37,078
7	Wm. R. Smith & Son	5,530,531.26	38,692.90	33,150
8	Wood Bros.	9,615,088.72	89,914.53	88,899
9	Bowles Live Stock Commission Co.	8,422,686.57	78,217.92	60,021
10	Clifton Commission Co.	1,822,433.70	21,314.54	21,953
11	Dworak-Stolinski Commission Co.	1,314,101.52	13,904.32	14,587
12	Ingwersen-Daugherty	2,118,549.86	19,216.56	23,645
13	Lindley-Cahow Commission Co.	13,638,007.73	117,723.35	87,130
14	John Ralston Commission Co.	4,764,856.81	44,542.21	43,179
15	Security Live Stock Commission Co.	1,892,655.88	17,817.36	18,003
16	Winn Bros.	810,854.92	6,789.63	11,953
17	Boetel Live Stock Commission Co.	.....	9,103.69	9,30
18	John Clay & Co.	13,932,265.50	115,524.40	108,18
19	Allen Dudley & Co.	4,421,916.47	31,546.56	29,32
20	Greene, Madden & Co.	2,716,476.82	21,409.19	20,47
21	Lee Live Stock Commission Co.	2,263,482.40	19,050.23	21,65
22	Omaha Live Stock Commission Co.	6,429,330.20	57,744.28	47,98
23	Rosenbaum Bros. & Co.	5,309,236.18	42,238.51	52,75
24	Williams & Sons	750,547.18	9,208.37	15,19
25	Bliss, Wellman & Hopkins	4,652,921.49	38,797.57	40,87
27	Donahue Bros., Inc.	3,606,933.29	38,861.42	35,97
28	Great Western Commission Co.	10,009,984.12	95,296.93	87,12
29	Laverty Bros.	3,737,846.96	34,400.74	27,44
30	Mutual Live Stock Commission Co.	7,007,897.16	62,602.68	43,79
31	Chas. O. Robinson & Co.	5,304,849.61	49,164.71	60,56
32	Ward-Murphy Live Stock Commission Co.	.....	11,288.58	17,34
33	Bliss & Son	904,867.87	18,645.20	18,94
34	Byers Bros. & Co.	6,161,599.46	56,843.72	50,71
35	W. F. Denny & Co.	2,652,529.33	24,559.50	20,09
36	Gant Live Stock Commission Co.	533,148.34	4,955.88	6,89
37	Laird Live Stock Commission Co.	1,690,033.17	15,394.78	17,21
38	Melady Bros.	5,529,675.18	46,327.61	43,09
	[illegible] Bros. & Rose	11,623,289.47	110,986.83	90,83
	[illegible] Live Stock Commission Co.	4,498,338.37	38,892.58	37,65

[fols. 942 & 943]

EXHIBIT 109

Ratio of Commissions to Gross Receipts, 1925, under Secretary of Agriculture's Order

Omaha Live Stock Exchange, Omaha, Nebraska

Ratio of Commissions to Gross Receipts, Year 1925

Firm No.	Firm name	Sale & purchase value of live stock handled	Commissions under Sec'y of Agriculture's order		Commissions under Sec'y of Agri. order excluding increase in dealers & speculato	
			Amount	Ratio to value	Amount	Ratio to val
1	Bryson Bros.	$4,298,517.05	$37,508.15	.0087	$36,237.62	.0084
2	Byron Clow Co	2,230,466.55	18,781.60	.0084	18,452.03	.0083
3	Farris-Marcy Co.	3,013,151.83	26,608.60	.0088	24,523.36	.0081
4	Inter-State Live Stock Commission Co.	7,228,387.00	64,899.20	.0090	62,433.65	.0086
5	McAdams Bros. & Ihnen	2,201,206.41	18,953.55	.0086	17,901.33	.0081
6	Randall & Co	3,195,552.16	30,143.85	.0094	29,418.15	.0092
7	Wm. R. Smith & Son	5,530,531.26	34,885.80	.0063	34,845.00	.0063
8	Wood Bros.	9,615,088.72	81,597.51	.0085	79,220.69	.0082
9	Bowles Live Stock Commission Co.	8,422,686.57	69,087.80	.0082	68,138.28	.0081
10	Clifton Commission Co	1,822,433.70	18,423.55	.0101	18,691.00	.0103
11	Dworak-Stolinski Commission Co	1,314,101.52	12,171.52	.0093	12,016.12	.0091
12	Ingwersen & Daugherty	2,118,549.86	17,045.80	.0080	16,863.19	.0080
13	Lindley-Cahow Commission Co	13,638,007.73	105,054.99	.0077	103,462.27	.0076
14	John Ralston Commission Co	4,764,856.81	40,674.20	.0085	38,788.75	.0081
15	Security Live Stock Commission Co.	1,892,655.88	16,412.10	.0087	15,736.96	.0083
16	Winn Bros.	810,854.92	6,019.00	.0074	5,955.79	.0073
17	Boetel Live Stock Commission Co.	Not Furnished	8,537.05	.....	8,053.58	.....
18	John Clay & Co	13,932,265.50	102,579.90	.0074	101,516.38	.0073
19	Allen Dudley & Co	4,421,916.47	32,486.90	.0073	29,157.20	.0066
20	Green, Madden & Co	2,716,476.82	21,725.45	.0080	18,955.38	.0070
21	Lee Live Stock Commission Co	2,263,482.40	17,189.60	.0076	17,039.99	.0075
22	Omaha Live Stock Commission Co.	6,429,330.20	52,991.99	.0082	51,096.15	.0079
23	Rosenbaum Bros. & Co	5,309,236.18	38,398.20	.0072	37,634.60	.0071
24	Williams & Sons	750,547.18	9,362.20	.0125	9,315.69	.0124
25	Bliss, Wellman & Hopkins	4,652,921.49	37,227.10	.0080	34,685.82	.0075
27	Donahue Bros., Inc	3,606,933.29	34,095.20	.0095	33,991.19	.0094
28	Great Western Commission Co	10,009,984.12	84,235.15	.0084	83,816.52	.0084
29	Laverty Bros.	3,737,846.96	32,324.70	.0086	30,861.99	.0083
30	Mutual Live Stock Commission Co.	7,007,897.16	59,639.90	.0085	54,969.34	.0078
31	Chas. O. Robinson & Co	5,304,849.61	44,571.70	.0084	43,015.39	.0081
32	Ward-Murphy Live Stock Commission Co	Not Furnished	10,431.80	.....	10,382.52	.....
33	Bliss & Son	904,867.87	17,405.60	.0192	16,695.03	.0184
34	Byers Bros. & Co	6,161,599.46	55,979.80	.0091	52,769.70	.0086
35	W. F. Denny & Co	2,652,529.33	22,377.15	.0084	21,943.65	.0083
36	Gant Live Stock Commission Co	533,148.34	4,668.20	.0088	4,405.90	.0083
37	Laird Live Stock Commission Co	1,690,033.17	14,217.50	.0084	14,011.10	.0083
38	Melady Bros.	5,529,675.18	42,108.10	.0076	40,731.95	.0074
39	Roberts Bros. & Rose	11,623,289.47	101,454.50	.0087	98,313.46	.0085
40	Triangle Live Stock Commission Co.	4,498,338.37	34,753.15	.0077	34,104.89	.0076
41	Lou Bick Commission Co	1,956,572.58	19,762.05	.0101	18,330.22	.0094
42	[fol. 944] Burke-Rickly Co	2,893,207.00	22,876.55	.0079	19,538.59	.0068
43	Cox-Jones Commission Co	10,426,823.64	77,936.65	.0075	77,049.71	.0074
44	Frazier-Johnson Co.	2,912,427.75	26,100.45	.0090	25,733.60	.0088
45	Jacob Jacobs Live Stock Commis-					

5	McAdams Bros. & Ihnen	3,201,206 41	18,953 55	.0086	17,901 33	.0081
6	Randall & Co	3,195,552 16	30,143 85	.0094	29,418 15	.0092
7	Wm. R. Smith & Son	5,530,531 26	34,885 80	.0063	34,845 00	.0063
8	Wood Bros.	9,615,088 72	81,597 51	.0085	79,220 69	.0082
9	Bowles Live Stock Commission Co.	8,422,686 57	69,087 80	.0082	68,138 28	.0081
10	Clifton Commission Co	1,822,433 70	18,423 55	.0101	18,691 00	.0103
11	Dworak-Stolinski Commission Co	1,314,101 52	12,171 52	.0093	12,016 12	.0091
12	Ingwersen & Daugherty	2,118,549 86	17,045 80	.0080	16,863 19	.0080
13	Lindley-Cahow Commission Co	13,638,007 73	105,054 99	.0077	103,462 27	.0076
14	John Ralston Commission Co	4,764,856 81	40,674 20	.0085	38,788 75	.0081
15	Security Live Stock Commission Co.	1,892,655 88	16,412 10	.0087	15,736 96	.0083
16	Winn Bros.	810,854 92	6,019 00	.0074	5,955 79	.0073
17	Boetel Live Stock Commission Co.	Not Furnished	8,537 05	.....	8,053 58	.....
18	John Clay & Co	13,932,265 50	102,579 90	.0074	101,516 38	.0073
19	Allen Dudley & Co	4,421,916 47	32,486 90	.0073	29,157 20	.0066
20	Green, Madden & Co	2,716,476 82	21,725 45	.0080	18,955 38	.0070
21	Lee Live Stock Commission Co	2,263,482 40	17,189 60	.0076	17,039 99	.0075
22	Omaha Live Stock Commission Co.	6,429,330 20	52,991 99	.0082	51,096 15	.0079
23	Rosenbaum Bros. & Co	5,309,236 18	38,398 20	.0072	37,634 60	.0071
24	Williams & Sons	750,547 18	9,362 20	.0125	9,315 69	.0124
25	Bliss, Wellman & Hopkins	4,652,921 49	37,227 10	.0080	34,685 82	.0075
27	Donahue Bros., Inc	3,606,933 29	34,095 20	.0095	33,991 19	.0094
28	Great Western Commission Co	10,009,984 12	84,235 15	.0084	83,816 52	.0084
29	Laverty Bros.	3,737,846 96	32,324 70	.0086	30,861 99	.0083
30	Mutual Live Stock Commission Co.	7,007,897 16	59,639 90	.0085	54,969 34	.0078
31	Chas. O. Robinson & Co	5,304,849 61	44,571 70	.0084	43,015 39	.0081
32	Ward-Murphy Live Stock Commission Co	Not Furnished	10,431 80	.....	10,382 52	.....
33	Bliss & Son	904,867 87	17,405 60	.0192	16,695 03	.0184
34	Byers Bros. & Co	6,161,599 46	55,979 80	.0091	52,769 70	.0086
35	W. F. Denny & Co	2,652,529 33	22,377 15	.0084	21,943 65	.0083
36	Gant Live Stock Commission Co	533,148 34	4,668 20	.0088	4,405 90	.0083
37	Laird Live Stock Commission Co	1,690,033 17	14,217 50	.0084	14,011 10	.0083
38	Melady Bros.	5,529,675 18	42,108 10	.0076	40,731 95	.0074
39	Roberts Bros. & Rose	11,623,289 47	101,454 50	.0087	98,313 46	.0085
40	Triangle Live Stock Commission Co.	4,498,338 37	34,753 15	.0077	34,104 89	.0076
41	Lou Bick Commission Co	1,956,572 58	19,762 05	.0101	18,330 22	.0094
42	[fol. 944] Burke-Rickly Co	2,893,207 00	22,876 55	.0079	19,538 59	.0068
43	Cox-Jones Commission Co	10,426,823 64	77,936 65	.0075	77,049 71	.0074
44	Frazier-Johnson Co.	2,912,427 75	26,100 45	.0090	25,733 60	.0088
45	Jacob Jacobs Live Stock Commission Co	1,685,752 42	13,863 35	.0082	13,295 13	.0079
46	Martin Bros. & Co	6,099,151 21	51,589 30	.0085	51,002 92	.0084
47	L. E. Roberts & Co	1,806,317 84	14,650 60	.0081	14,395 94	.0080
48	Tagg Bros. & Moorhead	10,238,598 92	83,431 50	.0081	81,718 18	.0080
49	Geo. M. Wood Sheep Commission Co.	840,920 39	5,511 00	.0066	5,459 20	.0065
51	Alex G. Buchanan & Son	3,441,972 83	27,110 65	.0079	24,341 95	.0071
52	Corn Belt Commission Co	3,379,117 55	29,178 36	.0086	27,960 83	.0083
53	Fonda-Kells & Christie Co	3,060,733 27	27,793 30	.0091	27,401 30	.0090
54	Jackson Live Stock Co	1,619,938 59	13,751 90	.0085	13,311 70	.0082
56	Record Live Stock Commission Co.	4,157,242 68	36,566 00	.0088	36,102 70	.0087
57	Snyder-Malone-Coffman Co	1,564,062 47	12,680 80	.0081	12,467 18	.0080
58	Wood-Oswald Co.	3,474,816 15	31,900 25	.0092	31,569 39	.0091
60	Globe Live Stock Commission Co.	Not Furnished	11,702 65	.....	11,441 08	.....
		$235,391,871 83	$1,983,433 42	.0083	$1,921,271 23	.0080

Endorsed: Filed Jul. 13, 1927, R. C. Hoyt, Clerk.

[fol. 945]

EXHIBIT 110

Ratio of Net Results to Gross Receipts under Secretary of Agriculture's Order

[fol. 946]

Omaha Live Stock Exchange, Omaha, Nebraska

Ratio of Net Results to Gross Receipts, Year 1925

Firm No.	Firm name	Sale & purchase value of live stock handled	Net results under Sec'y of Agriculture's order		Net results under Sec'y of Agri. order excluding increase in dealers & speculators	
			Amount	Ratio to value	Amount	Ratio to value
1	Bryson Bros.	$4,298,517.05	$1,996.96	.00046	$726.43	.00017
2	Byron Clow Co	2,230,466.55	5,658.41*	.....	5,987.98*	.....
3	Farris-Marcy Co.	3,013,151.83	97.02	.00003	1,988.22*	.....
4	Inter-State Live Stock Commission Co.	7,228,387.00	6,651.37	.00092	4,185.82	00058
5	McAdams Bros. & Ihnen	2,201,206.41	2,636.63*	.....	3,688.85*	.....
6	Randall & Co	3,195,552.16	6,935.03*	.....	7,660.73*	.....
7	Wm. R. Smith & Son	5,530,531.26	1,734.98	.00031	1,694.18	.00031
8	Wood Bros.	9,615,088.72	7,301.71*	.....	9,678.53*	.....
9	Bowles Live Stock Commission Co	8,422,686.57	9,066.69	.00108	8,117.17	.00096
10	Clifton Commission Co	1,822,433.70	3,532.39*	.....	3,264.94*	.....
11	Dworak-Stolinski Commission Co	1,314,101.52	2,416.13*	.....	2,571.53*	.....
12	Ingwersen & Daugherty	2,118,549.86	6,599.99*	.....	6,782.60*	.....
13	Lindley-Cahow Commission Co	13,638,007.73	17,924.16	.00131	16,331.44	.00120
14	John Ralston Commission Co	4,764,856.81	2,504.80*	.....	4,390.25*	.....
15	Security Live Stock Commission Co	1,892,655.88	1,593.25*	.....	2,268.39*	.....
16	Winn Bros.	810,854.92	5,934.21*	.....	5,997.42*	.....
17	Boetel Live Stock Commission Co	Not Furnished	766.67*	.....	1,250.14*	.....
18	John Clay & Co	13,932,265.50	5,600.59*	.....	6,664.11*	.....
19	Allen Dudley & Co	4,421,916.47	3,160.84	.00071	168.86*	.....
20	Greene, Madden & Co	2,716,476.82	1,251.77	.00046	1,518.30*	.....
21	Lee Live Stock Commission Co	2,263,482.40	4,462.53*	.....	4,612.14*	.....
22	Omaha Live Stock Commission Co	6,429,330.20	5,005.19	.00078	3,109.35	.00048
23	Rosenbaum Bros. & Co	5,309,236.18	14,352.08*	.....	15,115.68*	.....
24	Williams & Sons	750,547.18	5,835.97*	.....	5,882.48*	.....
25	Bliss, Wellman & Hopkins	4,652,921.49	3,645.42*	.....	6,186.70*	.....
27	Donahue Bros., Inc	3,606,933.29	1,879.88*	.....	1,983.89*	.....
28	Great Western Commission Co	10,009,984.12	2,887.75*	.....	3,306.38*	.....
29	Laverty Bros.	3,737,846.96	4,877.41	.00130	3,414.70	.00091
30	Mutual Live Stock Commission Co	7,007,897.16	15,844.05	.00226	11,173.49	.00159
31	Chas. O. Robinson & Co	5,304,849.61	15,988.65*	.....	17,544.96*	.....
32	Ward-Murphy Live Stock Commission Co.	Not Furnished	6,913.92*	.....	6,963.20*	.....
33	Bliss & Son	904,867.87	1,538.15*	.....	2,248.72*	.....
34	Byers Bros. & Co	6,161,599.46	5,267.45	.00085	2,057.35	.00033
35	W. F. Denny & Co	2,652,529.33	2,282.39	.00086	1,848.89	.00070
36	Gant Live Stock Commission Co	533,148.34	2,223.23*	.....	2,485.53*	.....
37	Laird Live Stock Commission Co	1,690,033.17	3,001.42*	.....	3,207.82*	.....
38	Melady Bros.	5,529,675.18	985.91*	.....	2,362.06*	.....
39	Roberts Bros. & Rose	11,623,289.47	10,620.04	.00091	7,479.00	.00064
40	Triangle Live Stock Commission Co	4,498,338.37	2,901.70*	.....	3,549.96*	.....
41	Lou Bick Commission Co	1,956,572.58	1,210.37	.00062	221.46*	.....
42	[fol. 947] Burke-Rickly Co	2,893,207.00	2,005.94	.00069	1,332.02*	.....
43	Cox-Jones Commission Co	10,426,823.64	10,084.29	.00097	9,197.35	.00088
44	Frazier-Johnson Co	2,912,427.75	4,635.40*	.....	5,002.25*	.....
45	Jacob Jacobs Live Stock Commission Co.	1,685,752.42	4,937.89*	.....	5,506.11*	.....
46	Martin Bros. & Co	6,099,151.21	1,352.37*	.....	1,938.75*	.....
47	L. E. Roberts & Co	1,806,317.84	6,573.89*		6,828.55*	

3	Farris-Marcy Co.	3,013,151.83	97.02	.00003	1,988.22*	.....	
4	Inter-State Live Stock Commission Co.	7,228,387.00	6,651.37	.00092	4,185.82	.00058	
5	McAdams Bros. & Ihnen	2,201,206.41	2,636.63*	.....	3,688.85*	.....	
6	Randall & Co	3,195,552.16	6,935.03*	.....	7,660.73*	.....	
7	Wm. R. Smith & Son	5,530,531.26	1,734.98	.00031	1,694.18	.00031	
8	Wood Bros.	9,615,088.72	7,301.71*	.....	9,678.53*	.....	
9	Bowles Live Stock Commission Co	8,422,686.57	9,066.69	.00108	8,117.17	.00096	
10	Clifton Commission Co	1,822,433.70	3,532.39*	.....	3,264.94*	.....	
11	Dworak-Stolinski Commission Co	1,314,101.52	2,416.13*	.....	2,571.53*	.....	
12	Ingwersen & Daugherty	2,118,549.86	6,599.99*	.....	6,782.60*	.....	
13	Lindley-Cahow Commission Co	13,638,007.73	17,924.16	.00131	16,331.44	.00120	
14	John Ralston Commission Co	4,764,856.81	2,504.80*	.....	4,390.25*	.....	
15	Security Live Stock Commission Co	1,892,655.88	1,593.25*	.....	2,268.39*	.....	
16	Winn Bros.	810,854.92	5,934.21*	.....	5,997.42*	.....	
17	Boetel Live Stock Commission Co	Not Furnished	766.67*	.....	1,250.14*	.....	
18	John Clay & Co	13,932,265.50	5,600.59*	.....	6,664.11*	.....	
19	Allen Dudley & Co	4,421,916.47	3,160.84	.00071	168.86*	.....	
20	Greene, Madden & Co	2,716,476.82	1,251.77	.00046	1,518.30*	.....	
21	Lee Live Stock Commission Co	2,263,482.40	4,462.53*	.....	4,612.14*	.....	
22	Omaha Live Stock Commission Co	6,429,330.20	5,005.19	.00078	3,109.35	.00048	
23	Rosenbaum Bros. & Co	5,309,236.18	14,352.08*	.....	15,115.68*	.....	
24	Williams & Sons	750,547.18	5,835.97*	.....	5,882.48*	.....	
25	Bliss, Wellman & Hopkins	4,652,921.49	3,645.42*	.....	6,186.70*	.....	
27	Donahue Bros., Inc	3,606,933.29	1,879.88*	.....	1,983.89*	.....	
28	Great Western Commission Co	10,009,984.12	2,887.75*	.....	3,306.38*	.....	
29	Laverty Bros.	3,737,846.96	4,877.41	.00130	3,414.70	.00091	
30	Mutual Live Stock Commission Co	7,007,897.16	15,844.05	.00226	11,173.49	.00159	
31	Chas. O. Robinson & Co	5,304,849.61	15,988.65*	.....	17,544.96*	.....	
32	Ward-Murphy Live Stock Commission Co.	Not Furnished	6,913.92*	.....	6,963.20*	.....	
33	Bliss & Son	904,867.87	1,538.15*	.....	2,248.72*	.....	
34	Byers Bros. & Co	6,161,599.46	5,267.45	.00085	2,057.35	.00033	
35	W. F. Denny & Co	2,652,529.33	2,282.39	.00086	1,848.89	.00070	
36	Gant Live Stock Commission Co	533,148.34	2,223.23*	.....	2,485.53*	.....	
37	Laird Live Stock Commission Co	1,690,033.17	3,001.42*	.....	3,207.82*	.....	
38	Melady Bros.	5,529,675.18	985.91*	.....	2,362.06*	.....	
39	Roberts Bros. & Rose	11,623,289.47	10,620.04	.00091	7,479.00	.00064	
40	Triangle Live Stock Commission Co	4,498,338.37	2,901.70*	.....	3,549.96*	.....	
41	Lou Bick Commission Co	1,956,572.58	1,210.37	.00062	221.46*	.....	
42	[fol. 947] Burke-Rickly Co	2,893,207.00	2,005.94	.00069	1,332.02*	.....	
43	Cox-Jones Commission Co	10,426,823.64	10,084.29	.00097	9,197.35	.00088	
44	Frazier-Johnson Co	2,912,427.75	4,635.40*	.....	5,002.25*	.....	
45	Jacob Jacobs Live Stock Commission Co.	1,685,752.42	4,937.89*	.....	5,506.11*	.....	
46	Martin Bros. & Co	6,099,151.21	1,352.37*	.....	1,938.75*	.....	
47	L. E. Roberts & Co	1,806,317.84	6,573.89*	.....	6,828.55*	.....	
48	Tagg Bros. & Moorhead	10,238,598.92	664.71*	.....	2,378.03*	.....	
49	Geo. M. Wood Sheep Commission Co.	840,920.39	6,869.82*	.....	6,921.62*	.....	
51	Alex G. Buchanan & Son	3,441,972.83	8,208.00	.00238	5,439.30	.00158	
52	Corn Belt Commission Co	3,379,117.55	1,544.17	.00046	326.64	.00010	
53	Fonda-Kells & Christie Co	3,060,733.27	3,445.04*	.....	3,837.04*	.....	
54	Jackson Live Stock Co	1,619,938.59	6,827.55*	.....	7,267.75*	.....	
56	Record Live Stock Commission Co	4,157,242.68	5,988.81	.00144	5,525.51	.00133	
57	Snyder-Malone-Coffman Co.	1,564,062.47	5,826.31*	.....	6,039.93*	.....	
58	Wood-Oswald Co.	3,474,816.15	5,515.66*	.....	5,846.52*	.....	
60	Globe Live Stock Commission Co	Not Furnished	3,365.44*	.....	3,627.01*	.....	
		$235,391,871.83	$53,288.60*	.00094	$115,450.79*	.00078	

Endorsed: Filed Jul. 13, 1927. R. C. Hoyt, Clerk.

[*Red in copy.]

EXHIBIT 111

Schedule of Cost Per Car, Total Commissions, Commissiohs Per Car, and Net Results under Secretary of Agriculture's Order,

Omaha Live Stock Exchange, Omaha, Nebraska—Total Cost Per Car for Handling Live Stock—Year 1925

FOLD OUT IS TOO LARGE TO BE FILMED

Firm Name	Number of cars handled	Cost of handling live stock	Cost per car	Total commissions		Avg. commissions per car	
				Under Sec'y of Agriculture's order	Sec'y of Agri. order excluding increase in dealers & speculators	Under Sec'y of Agriculture's order	Sec'y of Ag order ex cluding i crease i dealers speculato
on Bros.	$2,446.99	$35,511.19	$14.51	$37,508.15	$36,237.62	$15.33	$14.81
n Clow Co.	1,233.06	24,440.01	19.82	18,781.60	18,452.03	15.23	14.96
s-Marcy Co.	1,738.39	26,511.58	15.25	26,608.60	24,523.36	15.31	14.11
State Live Stock Commission Co.	4,206.38	58,247.83	13.85	64,899.20	62,433.65	15.43	14.84
ams Bros. & Ihnen	1,255.79	21,590.18	17.19	18,953.55	17,901.33	15.09	14.26
ll & Co.	1,907.72	37,078.88	19.44	30,143.85	29,418.15	15.80	15.42
R. Smith & Son	1,917.12	33,150.82	17.29	34,885.80	34,845.00	18.18	18.18
Bros.	5,251.35	88,899.22	16.93	81,597.51	79,220.69	15.54	15.09
s Live Stock Commission Co.	4,609.66	60,021.11	13.02	69,087.80	68,138.28	14.99	14.78
n Commission Co.	1,181.80	21,995.94	18.58	18,423.55	18,691.00	15.59	15.82
k-Stolinski Commission Co.	779.80	14,587.65	18.71	12,171.52	12,016.12	15.61	15.41
rsen & Daugherty	1,126.09	23,645.79	21.00	17,045.80	16,863.19	15.14	14.97
y-Cahow Commission Co	6,547.17	87,130.83	13.31	105,054.99	103,462.27	16.05	15.80
Ralston Commission Co.	2,750.38	43,179.00	15.70	40,674.20	38,788.75	14.79	14.10
ty Live Stock Commission Co.	1,105.09	18,005.35	16.29	16,412.10	15,736.96	14.85	14.24
Bros.	418.67	11,953.21	28.55	6,019.00	5,955.79	14.38	14.23
Live Stock Commission Co.	544.52	9,303.72	17.09	8,537.05	8,053.58	15.68	14.79
Clay & Co.	6,400.72	108,180.49	16.90	102,579.90	101,516.38	16.03	15.86
Dudley & Co.	2,138.74	29,326.06	13.71	32,486.90	29,157.20	15.19	13.63
e, Madden & Co.	1,450.55	20,473.68	14.11	21,725.45	18,955.38	14.98	13.07
ve Stock Commission Co.	1,131.54	21,652.13	19.14	17,189.60	17,039.99	15.19	15.06
a Live Stock Commission Co.	3,506.39	47,986.80	13.69	52,991.99	51,096.15	15.11	14.57
baum Bros. & Co.	2,416.85	52,750.28	21.83	38,398.20	37,634.60	15.89	15.57
ms & Sons	478.01	15,198.17	31.80	9,362.20	9,315.69	19.59	19.49
Wellman & Hopkins	2,534.39	40,872.52	16.13	37,227.10	34,685.82	14.69	13.69
ue Bros. Inc.	2,109.28	35,975.08	17.06	34,095.20	33,991.19	16.16	16.12
Western Commission Co.	5,458.27	87,122.90	15.96	84,235.15	83,816.52	15.43	15.36
y Bros.	2,134.38	27,447.29	12.86	32,324.70	30,861.99	15.14	14.46
l Live Stock Commission Co.	3,952.25	43,795.85	11.08	59,639.90	54,969.34	15.09	13.91
s O. Robinson & Co.	2,919.07	60,560.35	20.75	44.571.70	43,015.39	15.27	14.74
Murphy Live Stock Commission Co.	747.23	17,345.72	23.21	10.431.80	10,382.52	13.96	13.89
& Son	1,130.09	18,943.75	16.76	17,405.60	16,695.03	15.40	14.77
Bros. & Co.	3,486.41	50,712.35	14.55	55,979.80	52,769.70	16.06	15.14
Denny & Co.	1,447.51	20,094.76	13.88	22,377.15	21,943.65	15.46	15.16
ive Stock Commission Co.	249.49	6,891.43	27.62	4,668.20	4,405.90	18.71	17.66
Live Stock Commission Co.	910.84	17,218.92	18.90	14,217.50	14,011.10	15.61	15.38
y Bros.	2,803.71	43,094.01	15.37	42,108.10	40,731.95	15.02	14.53
s Bros. & Rose	6,572.40	90,834.46	13.82	101,454.50	98,313.46	15.44	14.96



[fol. 950] EXHIBIT 112

Schedules of Live-stock Commission Rates at Chicago

Chicago

Rule X

Section 1. The Commission for selling live stock shall not be less than the following rates:

Single Ownership—Unmixed Carload Lots

Cattle:

50 head or less $13.00, and 15c per head for each additional head over 20 head, with a maximum of $21.00. When car contains less than 14 head, the "drive-in" schedule applies.

Calves—Single deck:

50 head or less $13.00, and 15c per head for each additional head over 50 head, with a maximum of $22.00.

Double deck:

70 head or less, $23.00, and 30c per head for each additional head over 70 head, with a maximum of $28.00. When car contains less than 40 head, the "drive-in" schedule applies.

Hogs—Single deck:

50 head or less $13.00, and 15c per head for each additional head over 50 head, with a maximum of $15.00. An additional charge of 30c shall be made for each full 500 pounds weight over 17,000 pounds.

Double deck:

80 head or less, $18.00, and 15c per head for each additional head over 80 head, with a maximum of $23.00. An additional charge of 30c shall be made for each full 500 pounds weight over 27,000 pounds. When a car contains less than 40 head, the "drive-in" schedule applies.

Sheep—Single deck, $14.00.

Sheep—Double deck, $20.00.

When a car contains less than 50 head, the "drive-in" schedule applies.

Section 2. Single Ownership—Mixed Live Stock.

	Per head	Single-deck maximum	Double-deck maximum
Cattle	85c.	$21.00	.....
Calves	35c.	22.00	$28.00
Hogs	25c.	15.00	23.00
Sheep	20c.	14.00	20.00

Minimum of $16.00, and maximum of $26.00, on single-deck car. Minimum of $21.00, and maximum of $29.00, on double-deck car. When a car contains cattle and calves only, the minimum shall be $17.00 and the maximum $24.00.

Section 2½. Plural Ownership—Carload Lots.

Plural owner car lots—Sold as Single Ownership:

When plural ownership car load lots of live stock are [fol. 951] handled in the same manner as single ownership cars—that is, not weighed for ownership, marks, brands, or other identification and not pro-rated, but handled for market grades and classes only—the single ownership schedules shall apply.

Plural Owner Car Lots Handled for Ownership, Marks, Brands, or Other Identification

When car loads of live stock require prorating, separate sorting, selling, or weighing for ownership marks, brands or other identification, or at request of shipper, the following rates shall apply:

Unmixed cars:

		Single-deck		Double-deck	
	Per head	Min.	Max.	Min.	Max.
Cattle	85c.	$18.00	$22.00	.....	.....
Calves	35c.	18.00	23.00	$24.00	$29.00
Hogs	25c.	14.00	16.00	19.00	24.00
Sheep	20c.	14.00	16.00	20.00	22.00

An additional charge of 30c shall be made for each full 50c pounds weight of hogs over 17,000 pounds in single-deck and 27,000 pounds in double-deck.

Mixed cars:

	Per head	Single-deck maximum	Double-deck maximum
Cattle	85c.	$22.00	.....
Calves	35c.	23.00	$29.00
Hogs	25c.	16.00	24.00
Sheep	20c.	16.00	22.00

Minimum of $17.00, and maximum of $26.00, on a single-deck car. Minimum of $22.00, and maximum of $29.00, on double-deck car. When a car contains cattle and calves only, the minimum shall be $18.00 and the maximum $24.00.

Under this schedule no owner shall pay more than the maximum commision and extra service charges, if any, on single ownership car loads.

Extra Services

Drafts:

1. Single Ownership.

When requested or necessary to grade or sort car lots of live stock of single ownership into market grades and classes, a charge of 15c shall be made for each draft over three drafts per deck—each draft to be represented by a separate scale ticket. Maximum charge $2.00.

2. Plural Ownership.

When requested or necessary to grade or sort car lots of live stock of plural ownership for ownership, market grades and classes, brands, marks, or other identification, a charge of 15c per draft shall be made for each draft over three per deck—each draft to be represented by a separate scale ticket. Maximum charge, $3.00.

Prorating:

When prorating is done a charge of 25c for each owner [fol. 952] shall be made, with a minimum charge of $1.00 and a maximum charge of $2.50 for this service.

Individual account sales:

When individual statements are requested in addition to the master prorate sheet, a charge of 5c extra shall be made for each statement.

Section 3. Less Than Carload Lots.

On less than 14 head of cattle shipped in one car the commission shall be 90 cents per head, and provided, that on less than 40 calves shipped in one car the commission shall be 40 cents per head, and provided, that on less than 40 hogs shipped in one car the commission shall be 30 cents per head, and provided, that on less than 50 head of sheep or goats shipped in one car the commission shall be 20 cents per head.

Section 4. (A) Where a portion of a car is turned over for sale by the consignee to another member of the Exchange, the commission shall be charged at the rates as shown in Sections 1, 2 and 2½.

(B) Live stock driven or hauled in shall be charged at the per capita rate as shown in Section 3, excepting sheep or goats, which shall be 20 cents per head, up to and including 70 head. Above 70 head, up to and including 125 head, shall be considered a single-deck. Above 125 head and up to and including 300 sheep or goats shall be considered a double-deck.

(C) On live stock forwarded from other markets, full commission shall be charged.

(D) In determining the application of the above rates of commission, the official count and classification of the Union Stock Yard & Transit Company shall rule in all cases.

[fol. 953] EXHIBIT 113

Schedule of Live Stock Commission Rates at Sioux City

Sioux City

Schedule of Rates and Charges in Effect in January, 1926, and Still in Effect

Rule XX—Commissions

The following commission will be charged by all members for performing the specific services listed.

Section 1. Single Ownership—Car Load Lots.

Cattle:

20 head or less, $16.00, and 75c. per head for each additional head over 20, with a maximum of $21.00. When car contains less than 14 head drive-in schedule applies.

Calves—Single deck:

50 head or less, $16.00, and 35c. per head for each additional head over 50 head, with a maximum of $21.00.

Double Deck:

70 head or less, $21.00, and 35c. per head for each additional head over 70, with a maximum of $27.00. When car contains less than 40 head drive-in schedule applies.

Hogs—Single deck:

50 head or less, $12.00 and 25c. per head for each additional head over 50, with a maximum of $14.00. An additional charge of 30c. for each full 500 pounds weight over 16,500.

Double deck:

80 head or less, $17.00, and 25c. per head for each additional head over 80, with a maximum of $22.00. An additional charge of 30c. shall be made for each full 500 pounds weight in excess of 24,000 pounds. When car contains less than 40 head, the drive-in schedule applies.

Sheep:

Single deck, $14.00. Double deck, $20.00.

When the car contains less than 50 head, the drive-in schedule applies.

Section 2. Mixed Live Stock-single Owner.

	Per head	Single-deck maximum	Double-deck maximum
Cattle	80c.	$21.00	.....
Calves	35c.	21.00	$27.00
Hogs	25c.	14.00	22.00
Sheep	20c.	14.00	20.00

Minimum of $16.00; maximum of $25.00 for single deck car. Minimum of $21.00; maximum of $27.00 for double deck car. When car contains cattle and calves only minimum of $16.00 and maximum of $23.00 to apply.

Where three species are contained in the car, minimum of $17.00, and maximum of $27.00.

[fol. 954] Selling Commission, Plural Ownership, Carload Lots. Plural Owner Carlots, Sold as Single Ownership

Section 3. When plural ownership carload lots of live stock are handled in the same manner as single ownership cars, that is, not weighed for ownership, marks, brands, or other identification, and not prorated, but handled for market grades and classes only, the single ownership schedule shall apply.

Plural Owner Carlots, Handled for Ownership, Marks, Brands, or Other Identification

When carloads of live stock require prorating, separate sorting, selling or weighing for ownership, marks, brands or other identification, or at the request of shipper, the following rates shall apply:

Unmixed Cars

		Single deck		Double deck	
	Per head	Min'm	Max'm	Min'm	Max'm
Cattle	80c.	$17.00	$21.00	.....	.....
Calves	35c.	17.00	21.00	$23.00	$28.00
Hogs	25c.	13.00	15.00	18.00	23.00
Sheep	20c.	14.00	16.00	20.00	22.00

Mixed Cars

Section 4. Two or more Species, Plural Ownership.

	Per head	Single deck maximum	Double deck maximum
Cattle	80c.	$21.00	.....
Calves	35c.	21.00	$24.00
Hogs	25c.	15.00	23.00
Sheep	20c.	16.00	22.00

Minimum of $16.00 and maximum of $25.00 for single deck car. Minimum of $21.00 and maximum of $28.00 for double deck car.

When car contains cattle and calves only, a minimum of $17.00 and maximum of $24.00 shall apply.

When car contains three species of live stock a minimum of $18.00 and a maximum of $28.00 shall apply.

Extra Services

Drafts:

(a) Single Ownership.—When requested or necessary to grade or sort carlots of live stock of single ownership into market grades and classes, a charge of 15c. shall be made for each draft over three drafts per deck; each draft to be represented by a separate scale ticket. Maximum charge $2.00.

(b) Plural Ownership.—When requested or necessary to grade or sort carlots of live stock of plural ownership, market grades and classes, brands, marks or other identification, a charge of 15c. per draft shall be made for each draft over three per deck, each draft to be represented by a separate scale ticket. Maximum charge $3.00.

Prorating:

When prorating is done a charge of 25c. for each owner shall be made, with a minimum charge of $1.00 per car for this service. Maximum charge $2.50 per car.

Individual Account Sales:

When individual statements are issued, a charge of 5c. [fol. 955] extra shall be made for each statement.

Live Stock Driven or Hauled In

Section 6. The following per head charges shall apply: Cattle, 80c.; calves, 40c.; hogs, 25c.; sheep, 20c.

Charges for live stock driven in for any one owner on any one day shall be limited by the following maxima:

Cattle, 22,000 pounds or under	$21.00
Calves, 16,000 pounds or under	21.00
Hogs, 16,500 pounds or under	14.00
Hogs, 23,000 pounds or under	22.00
Sheep or Goats, 12,000 pounds or under	14.00
Sheep or Goats, 18,000 pounds or under	20.00

[fol. 956] EXHIBIT 114

Schedule of Live Stock Commission Rates at Denver

Denver

Section 1

Single Ownership—Carload Lots

Cattle—20 head or less, $15.00 and 65 cents per head for each additional head over 20 head, with a maximum of $19.00. When car contains less than 14 head, the "drive-in" schedule applies.

Calves (Single Deck)—50 head or less, $15.00 and 30 cents per head for each additional head over 50 head, with a maximum of $20.00

Calves (Double Deck)—70 head or less, $21.00 and 30 cents per head for each additional head over 70 head, with a maximum of $26.00. When car contains less than 40 head, the "drive in" schedule applies.

Hogs (Single Deck)—50 head or less $12.00 and 15 cents per head for each additional head over 50 head, with a maximum of $14.00. An additional charge of 30 cents shall be made for each full 500 pounds weight over 17,000 pounds.

Hogs (Double Deck)—80 head or less $17.00 and 15 cents per head for each additional head over 80 head, with a maximum of $22.00. An additional charge of 30 cents shall be made for each full 500 pounds weight over 27,000 pounds.

When a car contains less than 40 head the "drive in" schedule applies.

Sheep (Single Deck)—$14.00; double deck $20.00. When a car contains less than 40 head, the "drive in" schedule applies.

Section 2

Mixed Live Stock

Cattle—75 cents per head. Single deck, maximum $19.00.

Calves—35 cents per head. Single deck, maximum $20.00; double deck, maximum $26.00.

Hogs—25 cents per head. Single deck, maximum $14.00; double deck, maximum $22.00.

Sheep—20 cents per head. Single deck, maximum $14.00; double deck, maximum $20.00.

Minimum of $15.00 and maximum of $25.00, on single deck car. Minimum of $20.00, and maximum of $28.00 on double deck car. When a car contains cattle and calves only, the minimum shall be $15.00 and the maximum $22.00.

Section 3

Selling Commission—Plural Ownership—Carload Lots

Plural Owner Car Lots—Sold as Single Ownership

When plural ownership car load lots of livestock are handled in the same manner as single ownership cars—that is, not weighed for ownership, marks, brands, or other identification and not prorated, but handled for market grades and classes only—the single ownership schedules shall apply.

[fol. 957] Plural Owner Car Lots Handled for Ownership, Marks, Brands, or Other Identification

When car loads of live stock require prorating, separate sorting, selling or weighing for ownership, marks, brands, or other identification, or at request of shippers, the following rates shall apply:

Unmixed Cars

Cattle—75 cents per head. Single deck, minimum $16.00, maximum $20.00.

Calves—35 cents per head. Single deck, minimum $16.00, maximum $21.00; double deck, minimum $22.00, maximum $27.00.

Hogs—25 cents per head. Single deck, minimum $13.00, maximum $15.00; double deck, minimum $18.00, maximum $23.00.

Sheep—20 cents per head. Singl*d* deck, minimum $14.00, maximum $16.00; double deck, minimum $20.00, maximum $22.00.

Mixed Cars

Cattle—75 cents per head. Single deck maximum $20.00.

Calves—35 cents per head. Single deck maximum $21.00; double deck, maximum $27.00.

Hogs—25 cents per head. Single deck, maximum $15.00; double deck maximum $23.00.

Sheep—20 cents per head. Single deck, maximum $16.00; double deck, maximum $22.00.

Minimum of $16.00, and maximum of $25.00, on single deck car. Minimum of $21.00 *of $21.00,* and maximum of $28.00, on double deck car. When a car contains cattle and calves only, the minimum shall be $16.00 and the maximum $22.00.

Under this schedule no owner shall pay more than the maximum commission and extra service charges, if any, on single ownership car loads.

[fol. 958] Exhibit 115

Schedule of Live Stock Commission Rates at Kansas City

Kansas City

Schedule of Rates, Tariff No. 2, in Effect January 1, 1926, and Still in Effect

Rule XVI

Schedule of Commissions

The commission for selling or purchasing live stock shall be:

For Selling

Single Ownership Cattle:

Sec. 1. Single Ownership—Carload Lots—20 head or less $15.00 and 65c per head for each additional head over 20 head, with maximum of $19.00.

When car contains less than 14 head the "Drive-in" schedule applies.

Calves:

Single-deck—50 head or less $15.00, and 30c per head for each additional head over 50 head, with a maximum of $20.00.

Double-deck—70 head or less $21.00 and 30c per head for each additional head over 70, with a maximum of $26.00.

When car contains less than 40 head, the "drive-in" schedule applies.

Hogs:

Single-deck—50 head or less $12.00, and 15c per head for each additional head over 50 head, with a maximum of $14.00. An additional charge of 30c shall be made for each full 500 pounds weight over 17,000 pounds.

Double-deck—80 head or less $17.00, and 15c per head for each additional head over 80 head, with a maximum of $22.00. An additional charge of 30c shall be made for each full 500 pounds weight over 27,000 pounds.

When a car contains less than 40 head, the "drive-in" schedule applies.

Sheep:

Single-deck $14.00. Double-deck $20.00. When a car contains less than 50 head, the "drive-in" schedule applies.

Sec. 2. Mixed Live Stock—

Mixed Live Stock:

	Each	S. D. max.	D. D. max.
Cattle	75c.	$19.00	.....
Calves	35c.	20.00	$26.00
Hogs	25c.	14.00	22.00
Sheep	20c.	14.00	20.00

Minimum $15.00, and maximum $25.00, on single-deck car.

Minimum $20.00, and maximum $28.00, on double-deck car.

Cattle and Calves Only:

When a car contains cattle and calves only, minimum $15.00 and maximum $22.00.

"Second" Cattle:

"Second" Cattle, 35c per head.

"Second" Calves:

"Second" calves, 20c per head.

[fol. 959] "Second" Hogs:

"Second" hogs, 40c per thousand pounds, not exceeding 10c per head.

"Second Sheep:

"Second" sheep, 12½c per head; 56-125 head one-half single-deck commission; 126-250 head one-half double-deck commission.

Plural Owner Sold as Single Ownership:

Sec. 3. Plural Owner Car Lots—Sold as Single Ownership.—When plural owner carload lots of live stock are handled in the same manner as single ownership cars—that is, not weighed for ownership, marks, brands or other identification and not prorated, but handled for market grades and classes only—the single ownership schedules shall apply.

Plural Owner Car Lots Handled for Identification:

Plural Owner Car Lots Handled for Ownership Marks, Brands or Other Identification.—When car loads of live stock require prorating, separate sorting, selling or weighing for ownership, marks, brands or other identification, or at request of shipper, the following rates shall apply:

Unmixed Cars

Unmixed Cars:

		S. D.		D. D.	
	Per head	Min.	Max.	Min.	Max.
Cattle	75c.	$16 00	$20 00	.....	.....
Calves	35c.	16 00	21 00	$22 00	$27 00
Hogs	25c.	13 00	15 00	18 00	23 00
Sheep	20c.	14 00	16 00	20 00	22 00

Mixed Cars

Mixed Cars:

		S. D.		D. D.	
	Per head	Min.	Max.	Min.	Max.
Cattle	75c.	.....	$20 00	.....	.....
Calves	35c.	.....	21 00	.....	$27 00
Hogs	25c.	.....	15 00	.....	23 00
Sheep	20c.	.....	16 00	.....	22 00

Minimum $16.00, and maximum $25.00, on single-deck car.

Minimum $21.00, and maximum $28.00, on double-deck car.

When a car contains cattle and calves only, minimum $16.00 and maximum $22.00.

Under this schedule no owner shall pay more than the maximum commission and extra service charges, if any, on single ownership carloads.

Sec. 4. Stock Driven or Hauled In.—

"Drive-ins:"

Cattle ..... 75c. each

(On 20 head or over, carload rates apply, including surcharge of 65c per head for each additional head over 20 head, with maximum of $19.00 for 30 head or less. Excess over 30 head at 65c each.)

Calves ..... 35c. each

(50 head or over carload rates, including surcharge of 30c for each additional head, apply. Maximum single-deck

rate to apply to 70 head or less, with excess at 30c per head.)

[fol. 960]

Hogs ..... 30c. each

(Over 17,000 pounds surcharge apply. 50 hogs, carload rate.)

Sheep or goats ..... 25c. each

(56-125 head, single-deck rate; over 125-250, double-deck rate.)

[fol. 961] EXHIBIT 116

Schedule of Live Stock Commission Rates at St. Joseph

St. Joseph

Schedule of Rates and Charges in Effect in January, 1926, and Still in Effect

Rule XI

Application and Charges

Selling Commissions Effective September 15, 1923. Amended May 25, 1925

Section 1-A. Single Ownership—Carload Lots.—

Cattle.—20 head or less, $15.00; and 65c per head for each additional head over 20 head, with a maximum of $19.00. When car contains less than 14 head, the "drive-in" schedule applies.

Calves.—Single Deck: 50 head or less, $15.00; and 30c per head for each additional head over 50 head, with a maximum of $20.00. Double-deck; 70 head or less, $21.00; and 30c per head for each additional head over 70 head, with a maximum of $26.00. When car contains less than 40 head, the "drive-in" schedule applies.

Hogs.—Single Deck: 50 head or less, $12.00; and 15c per head for each additional head over 50 head, with a

maximum of $14.00. An additional charge of 30c shall be made for each full 500 pounds weight over 17,000 pounds. Double Deck: 80 head or less, $17.00; and 15c per head for each additional head over 80 head, with a maximum of $22.00. An additional charge of 30c shall be made for each full 500 pounds weight over 27,000 pounds. When a car contains less than 40 head, the "drive-in" schedule applies.

Sheep—Single Deck—$14.00. Double Deck $20.00.

When a car contains less than 50 head, the "drive-in" schedule applies.

Mixed Live Stock

	Per head	Single-deck maximum	Double-deck maximum
Cattle	75c.	$19.00	.....
Calves	35c.	20.00	$26.00
Hogs	25c.	14.00	22.00
Sheep	20c.	14.00	20.00

Maximum charge of $25.00 on single-deck car.

Maximum charge of $28.00 on double-deck car.

When a car contains cattle and calves only, the maximum charge shall be $22.00.

Section 1-B. Plural Ownership—Carload Lots.—

Plural Owner Car Lots—Sold as Single Ownership.—When plural ownership car load lots of live stock are handled in the same manner as single ownership cars—that is, not weighed for ownership, marks, brands, or other identification and not prorated, but handled for market grades and classes only—the single ownership schedules shall apply.

[fol. 962] Plural Owner Car Lots Handled for Ownership, Marks, Brands or Other Identification.—When car loads of live stock require pro-rating, separate sorting, selling, or weighing for ownership, marks, brands or other identification, or at request of shipper, the following rates shall apply:

Unmixed Cars

		Single-deck		Double-deck	
	Per head	Min.	Max.	Min.	Max.
Cattle	75c.	$16.00	$20.00	.....	.....
Calves	35c.	16.00	21.00	$22.00	$27.00
Hogs	25c.	13.00	15.00	18.00	23.00
Sheep	20c.	14.00	16.00	20.00	22.00

Mixed Cars

	Per head	Single-deck maximum	Double-deck maximum
Cattle	75c.	$20.00	.....
Calves	35c.	21.00	$27.00
Hogs	25c.	15.00	23.00
Sheep	20c.	16.00	22.00

Maximum charge of $25.00 on single-deck car.

Maximum charge of $28.00 on double-deck car.

When a car contains cattle and calves only, the maximum charge shall be $22.00.

Under this schedule no owner shall pay more than the maximum commission and extra service charges, if any, on single ownership carloads.

Section 1-C. Stock Driven on Hauled In.—

Cattle.—75c. per head.

Calves.—40c. per head.

Hogs.—25c. per head up to 48 head; 48 to 65 head, carload rate applies. The per head rate applies on all over 65 head until maximum is again reached.

Sheep or Goats.—20c. per head up to 70 head; 70 to 140 head shall be considered a single deck and carload rate shall apply; 160 to 280 head shall be considered a double-deck, and the double-deck rate shall apply. Then 20c per head until the maximum is again reached.

[fol. 963] EXHIBIT 117

Letter, Secretary of Agriculture to Attorney General estimating reduction of commissions chargeable as between Tariff No. 2 and the rates fixed in the Secretary's order at a total of $341.093. The difference is estimated for each firm and is itemized as to cattle, hogs, sheep and mixed shipments.

EXHIBIT 118

Computation Showing Results of Application of Secretary's Order to Tagg Brothers & Moorhead, March, 1926, to March, 1927

847. Equity

Comparative Statement

Month	No. Cars	Expense	Schedule No. 2 Commissions	Schedule No. 2 Gain	Schedule No. 2 Loss	Secretary's Order Commissions	Secretary's Order Gain	Secretary's Order Loss
1926.								
April	324	7,159.80	6,621.28	.....	538.52	5,809.15	.....	1,350.65
May	250	7,032.90	4,915.84	.....	2,117.06	5,809.15	.....	2,742.06
June	388	7,245.71	7,785.12	539.41	.....	6,815.12	.....	430.59
July	321	7,095.84	6,214.32	.....	881.52	5,412.32	.....	1,683.52
Aug.	457	8,128.41	9,188.94	1,060.53	.....	8,046.94	.....	81.47
Sept.	551	7,782.35	10,903.81	3,121.46	.....	9,526.81	1,744.46	.....
Oct.	368	7,218.20	7,400.18	181.98	.....	6,480.18	.....	738.02
Nov.	285	7,309.75	5,849.94	.....	1,459.81	5,137.94	.....	2,171.81
Dec.	342	7,984.27	6,797.75	.....	1,186.52	5,942.75	.....	2,041.52
1927.								
Jan.	377	6,807.29	7,113.27	305.98	.....	6,171.27	.....	636.02
Feb.	375	6,042.54	7,228.14	1,185.60	.....	6,291.14	248.60	.....
Mar.	408	6,388.96	7,919.34	1,530.38	.....	6,899.34	510.38	.....
	4,446	86,196.02	87,937.93	7,925.34	6,183.43	76,823.80	2,503.44	11,875.66

Net Gain Schedule No. 2 ..... $1,741.91
Net Loss Secretary's Order 9,372.22

Advance in Yard Traders not included.

Exhibit 118. J. M. W.

Endorsed: Filed Jul. 13, 1927. R. C. Hoyt, Clerk.

[fols. 964 & 965] EXHIBIT 119

Computation of Results of Application of Secretary's Order to Laverty Brothers, April 1, 1926, to March 31, 1927

Number of Cars of Live Stock Handled from Apr. 1, 1926, to March 31, 1927

Number of Cars R. R.		1,673
Number of cars trucked in		166
Number of cars of cattle bought		240
Number of cars of seconds sold		215
Total		2,294
Total commissions for selling	26,014.02	
	9,531.74	
	35,545.76	
	330.01	
		35,875.77
Buying commissions	2,814.70	
	915.90	
		3,730.60
		39,606.37
Total expenses		32,981.82
		6,624.55
Commissions under Secretary's order		34,748.45
Total Expenses		32,981.82
Total profit under Secy's order		1,766.63

Salaries

1 Cattle Salesman	4,800.00
1 Cattle Salesman	4,800.00
1 Hog Salesman	2,760.00
1 Order Buyer	4,360.57
1 Sheepman	91.40
	16,811.98

[fol. 966] EXHIBIT 120

Schedule Commission Rates, Omaha Grain Exchange

"Non-members Rates

Wheat.—One per cent of selling price; maximum 2 cents per bushel; minimum 1½ cents per bushel. Rye, Barley, Ear Corn, Snapped Corn, 1 per cent of selling price; maximum 1½ cents per bushel, minimum 1 cent per bushel. Screenings, 1 per cent of selling price; maximum 2 cents per bushel, minimum 1 cent per bushel. Shelled Corn, 1 per cent of selling price; maximum 1 cent per bushel, minimum ¾ cent per bushel. Oats, 1 per cent of selling price, maximum 1 cent per bushel, minimum ½ cent per bushel.

"Future Delivery.—Commissions for buying and selling for future delivery, ⅛ cent per bushel. Where the actual grain is delivered on future contracts, the regular commission on consignments will be charged.

"Member Rates.—Wheat, ¾ per cent of selling price; maximum 1½ cents, minimum ¾ cent per bushel. Rye, Barley, Ear Corn, Snapped Corn, ¾ per cent of selling price, maximum 1⅜ cents, minimum ¾ cent per bushel.

Screenings, ¾ per cent of selling price; maximum 1½ cents, minimum ¾ cent per bushel. Shelled Corn, ¾ per cent of selling price, maximum ¾ cents, minimum ½ cent per bushel. Oats, ¾ per cent of selling price, maximum ¾ cent, minimum ⅜ cent per bushel.

Provided that on all shipments of incoming grain, seeds or grain products on which the original receiver has performed a service to the shipper in connection with the shipment, by offering for sale, submitting of bids, resampling or any other act which is a part of the general service of receiving and selling, and said member is thereafter instructed to turn said grain, seeds or grain products to another party, or to divert the shipment to some other point or to place in storage; the said member shall charge to the party shipping said grain, as remuneration for the services performed, one-half of the minimum commissions specified above, together with interest on the money advanced at the current rate as provided in Regulation 14 of Article 8 from the date of said advancement until reimbursement."

[fol. 967] EXHIBIT 121

Schedule Commission Rates, Omaha Real Estate Board

"City Real Estate and Acreage, Improved and Unimproved.—The regular commission on all sales of improved and unimproved city property and acreage shall be five per cent on all sales up to $10,000 in amount, and on sales exceeding $10,000 or more, the commission shall be five per cent on the first $10,000 and 2½% on all amounts in excess of $10,000; provided that $50 shall be the minimum charge on sales of vacant city property and acreage, and that $100 shall be the minimum charge on sales of improved city property and acreage.

* * * * * * *

"4. Farm Lands.—On sales of farm lands, the commission charged shall be the same as that charged for the sale of improved city property and acreage.

* * * * * * *

"Curing Titles

"8. Work in fixing up incomplete abstracts and curing defects of title belongs to the attorneys of the parties, and should be performed by them, but if such services are rendered by realtors, they shall be paid a reasonable compensation therefor, over and above their commission, and in proportion to the time and trouble involved."

EXHIBIT 122

Schedule Actual Earnings of Individual Owners, 1925

[fol. 968] Omaha Live Stock Exchange, Omaha, Nebraska

Income to Owners, Year 1925

Owner	Firm	Income per owner
W. F. Vavinger	Cox-Jones Commission Co	$22,478.03
Thos. H. Lindley	Lindley-Cahow Commission Co	21,866.51
E. W. Cahow	Lindley-Cahow Commission Co	19,822.09
W. T. Cox	Cox-Jones Commission Co	16,639.01
L. Jones	Bowles Live Stock Commission Co	16,087.99
W. Davidson	Bowles Live Stock Commission Co	16,087.99
A. E. Rogers	Omaha Live Stock Commission Co	15,074.07

Income to Owners, Year 1925—Continued

Owner	Firm	Income per Owner
D. C. Johnson	Mutual Live Stock Commission Co	14,758.33
J. T. Sullivan	Mutual Live Stock Commission Co	14,758.32
H. H. Roberts	Roberts Bros. & Rose	12,700.70
C. L. Peterson	Great Western Commission Co	12,612.93
J. O. Alsworth	Great Western Commission Co	12,612.92
W. W. Buchanan	Alex G. Buchanan & Son	12,343.06
C. F. Cox	Inter-State Live Stock Commission Co	11,864.56
R. Reynolds	Inter-State Live Stock Commission Co	11,864.56
E. A. Rose	Roberts Bros. & Rose	11,800.70
R. M. Laverty	Laverty Bros	11,074.78
Eugene P. Melady	Melady Bros	10,358.01
John Ralston	John Ralston Commission Co	10,197.69
W. F. Denny	W. F. Denny & Co	9,832.37
John Smith	Wm. R. Smith & Son	9,421.81
M. F. Guilfoyle	Corn Belt Commission Co	8,964.20
N. R. Bryson	Bryson Bros	8,634.10
W. B. Tagg	Tagg Bros. & Moorhead	8,106.18
A. W. Tagg	Tagg Bros. & Moorhead	7,573.80
W. C. Lyman	Tagg Bros. & Moorhead	7,573.80
T. A. Jackson	Jackson Live Stock Co	7,101.73
John F. Roberts	Roberts Bros. & Rose	7,600.70
A. E. Anderson	Tagg Bros. & Moorhead	6,973.80
M. C. Wilkerson	Tagg Bros. & Moorhead	6,973.80
T. H. Bryson	Bryson Bros	6,756.06
Joe McClenaghan	Record Live Stock Commission Co	6,690.00
Will H. Woods	Wood-Oswald Co	6,189.62
Allen H. Dudley	Allen Dudley & Co	6,173.48
T. J. Donahue	Donahue Bros., Inc	6,167.96
Jas. J. Donahue	Inter-State Live Stock Commission Co	6,154.84
A. J. Randall	Randall & Co	6,133.27
T. W. Farris	Farris-Marcy Co	6,101.11
Cliff McClenaghan	Record Live Stock Commission Co	6,090.00
L. J. Hough	Omaha Live Stock Commission Co	6,040.80
Chas. Burke	Burke-Rickly Co	6,001.01
J. Boetel	Great Western Commission Co	5,704.95
C. P. Dudley	Allen Dudley & Co	5,573.49
[fol. 969]		
Clyde Kells	Fonda-Kells & Christie Co	5,565.45
E. Munson	Wood Bros	5,529.29
Leo Ryan	Donahue Bros	5,516.19
C. W. Allyn	Lindley-Cahow Commission Co	5,477.15
H. W. Johnson	Tagg Bros. & Moorhead	5,473.80
J. C. Cunningham	Security Live Stock Commission Co	5,415.51
Geo. E. Parker	Triangle Live Stock Commission Co	5,326.34
C. J. Horn	Triangle Live Stock Commission Co	5,326.33
Jno. O. Willison	Triangle Live Stock Commission Co	5,326.33
Lou Bick	Lou Bick Commission Co	5,169.99
A. J. Adams	Lou Bick Commission Co	5,169.99
T. H. Fonda, Jr	Fonda-Kells & Christie Co	5,130.91
B. F. Roth	Wood Bros	5,014.65
Frank E. Bliss	Bliss & Son	5,012.16
G. W. Greene	Greene, Madden & Co	4,989.28
W. Madden	Greene, Madden & Co	4,989.28
Chas. Hammer	Donahue Bros., Inc	4,979.58
C. W. Boetel	Boetel Live Stock Commission Co	4,799.97
C. C. Johnson	Wood Bros	4,757.32
M. S. Morrill	Great Western Commission Co	4,704.99
Webster Mills	Burke-Rickly Co	4,500.76
E. H. Burke	Burke-Rickly Co	4,500.76
J. C. Christie	Fonda-Kells & Christie Co	4,440.46
C. C. Clifton	Clifton Commission Co	4,408.20

Income to Owners, Year 1925—Continued

Owner	Firm	Income per owner
Geo. E. Martin	Martin Bros. & Co	4,318.24
F. C. Bliss	Bliss, Wellman & Hopkins	4,233.37
F. A. Wellman	Bliss, Wellman & Hopkins	4,233.37
C. H. Hopkins	Bliss, Wellman & Hopkins	4,233.37
H. J. Oswald	Wood-Oswald Co	4,189.62
W. W. Rapp	Lee Live Stock Commission Co	4,181.27
T. J. Stolinski	Dworak-Stolinski Commission Co	4,158.34
Frank Dworak	Dworak-Stolinski Commission Co	4,158.33
Claude Clifton	Clifton Commission Co	4,108.20
Byron Clow	Byron Clow Co	3,877.39
Robert Ihnen	McAdams Bros. & Ihnen	3,864.87
Wm. H. McAdams	McAdams Bros. & Ihnen	3,864.86
J. R. McPhail (5 mo.)	Inter-State Live Stock Commission Co	3,719.14
H. W. Moberly	Lee Live Stock Commission Co	3,585.56
E. J. Wright	Tagg Bros. & Moorhead	3,526.54
Robert A. Gross	Randall & Co	3,421.63
J. N. Laird, Sr	Laird Live Stock Commission Co	3,394.05
Chas. Wood	Wood Bros	3,345.21
H. A. Rogers	Omaha Live Stock Commission Co	3,263.60
Wm. Frazier	Frazier-Johnson Co	3,192.42
Mat Malone	Snyder-Malone-Coffman Co	3,119.05
Mr. Gant [fol. 970]	Gant Live Stock Commission Co	3,087.44
John J. Robb	Randall & Co	3,066.64
Henry Dolezel	Globe Live Stock Commission Co	3,064.35
John Martin (9 mo.)	Martin Bros. & Co	2,949.51
James Martin (9 mo.)	Martin Bros. & Co	2,949.51
G. J. Ingwerson	Ingwerson-Daugherty	2,797.88
R. B. Daugherty	Ingwerson-Daugherty	2,772.89
T. B. McEntee	Randall & Co	2,711.64
J. C. Eastes	Wm. R. Smith & Son	2,421.81
F. M. Young	Byron Clow Co	2,292.47
Oscar Allen	Snyder-Malone-Coffman Co	2,239.68*
P. H. Winn	Winn Bros	1,918.21
J. P. Winn	Winn Bros	1,918.21
W. J. Dearth	Geo. M. Wood Sheep Commission Co	1,932.72
J. N. Williams	Williams & Sons	1,803.25
L. E. Williams	Williams & Sons	1,803.24
B. Ward	Ward-Murphy Live Stock Commission Co	1,471.43
M. J. Murphy	Ward-Murphy Live Stock Commission Co	1,471.43
Frank G. Roberts (9 mo.)	Geo. M. Wood Sheep Commission Co	1,303.14
Samuel Coffman	Central Live Stock Commission Co	1,052.15
S. R. Cox (3 mo.)	Cox-Jones Commission Co	600.00
A. A. Daly	L. E. Roberts & Co	588.64
Brad Hickox	Martin Bros. & Co	497.45
A. D. Majors	Martin Bros. & Co	397.45
M. S. Burmeister	Martin Bros. & Co	372.65
R. M. Burnes	Martin Bros. & Co	314.70
A. B. Moorhead	Tagg Bros. & Moorhead	396.45
H. G. Kiddoo	Byers Bros. & Co	150.77
M. G. Sherman	Byers Bros. & Co	90.46
968 Other Stockholders	Byers Bros. & Co	7,297.43
5 Partners and 2 Co-Partners	John Clay & Co	7,819.74
A. Wertheimer	Rosenbaum Bros. & Co	3,509.98*
E. H. Ingwersen	Rosenbaum Bros. & Co	3,239.46*
J. H. Ingwersen	Rosenbaum Bros. & Co	1,369.75*
D. C. Mosier	Rosenbaum Bros. & Co	1,027.32*
D. R. Ingwersen	Rosenbaum Bros. & Co	428.05*
C. J. Ingwersen	Rosenbaum Bros. & Co	3.42*
A. C. Borroff	Rosenbaum Bros. & Co	6.85*
E. G. Smith	Rosenbaum Bros. & Co	3.42*
H. K. Wertheimer	Rosenbaum Bros. & Co	684.88*
Books Sent to Chicago	Chas. O. Robinson & Co	10,827.86*
Jacob Jacobs	Jacob Jacobs Live Stock Commission Co	978.09*

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[fol. 971]

Summary

No. of owners					Total income
2	Over	$20,000.00			$44,344.54
1	From	19,000.00	to	$20,000.00	19,822.09
3		16,000.00		17,000.00	48,814.99
1		15,000.00		16,000.00	15,074.07
2		14,000.00		15,000.00	29,516.65
4		12,000.00		13,000.00	50,269.61
4		11,000.00		12,000.00	46,604.60
2		10,000.00		11,000.00	20,555.70
2		9,000.00		10,000.00	19,254.68
3		8,000.00		9,000.00	25,704.48
4		7,000.00		8,000.00	29,850.03
13		6,000.00		7,000.00	82,445.75
16		5,000.00		6,000.00	85,732.53
19		4,000.00		5,000.00	84,884.71
15		3,000.00		4,000.00	51,392.75
8		2,000.00		3,000.00	21,135.39
9		1,000.00		2,000.00	14,673.78
9	Less than	1,000.00			3,408.57
	968 Shares of Stock, Byers & Co				7,297.43
	5 Partners, 2 Co-Partners, John Clay & Co				7,819.74
	Chas. O. Robinson & Co. books sent to Chicago				10,827.86*
10	Loss				11,251.22*
Total Number of Owners—127.					
28 Owners with an Average Income of					$12,493.26
63 Owners with an Average Income of					4,832.63
26 Owners with an Average Income of					1,508.37
10 Owners with an Average Loss of					1,125.12*

[fol. 972]

EXHIBIT 123

Schedule of Earnings Individual Owners under Secretary of Agriculture's Order

[fol. 973]

Omaha Live Stock Exchange, Omaha, Nebraska

Income to Owners, Year 1925

This schedule is compiled using the Income that would have been received if the Secretary of Agriculture's Order had been in effect, with the adjusted expense excluding interest on the investment, and using the owners' actual selling and buying salaries instead of the 5–5 and 4 basis.

Owner	Firm	Income per owner
W. F. Vavinger	Cox-Jones Commission Co	$15,179.85
Thos. H. Lindley	Lindley-Cahow Commission Co	15,025.59
E. W. Cahow	Lindley-Cahow Commission Co	14,121.33
D. C. Johnson	Mutual Live Stock Commission Co	13,276.94
J. T. Sullivan	Mutual Live Stock Commission Co	13,276.93
W. T. Cox	Cox-Jones Commission Co	12,989.93
W. W. Buchanan	Alex G. Buchanan & Son	12,665.39
L. Jones	Bowles Live Stock Commission Co	11,522.93
W. Davidson	Bowles Live Stock Commission Co	11,522.93
A. E. Rogers	Omaha Live Stock Commission Co	11,453.28
C. F. Cox	Inter-State Live Stock Commission Co	10,084.17
R. Reynolds	Inter-State Live Stock Commission Co	10,084.17
H. H. Roberts	Roberts Bros. & Rose	9,523.26
R. M. Laverty	Laverty Bros	8,998.74
C. L. Peterson	Great Western Commission Co	8,630.69
J. O. Alsworth	Great Western Commission Co	8,630.69
E. A. Rose	Roberts Bros. & Rose	8,623.25
Joe McClenaghan	Record Live Stock Commission Co	8,349.20

[*Red in copy.]

Summary—Continued

Owner	Firm	Income per owner
W. B. Tagg	Tagg Bros. & Moorhead	7,926.99
W. F. Denny	W. F. Denny & Co	7,650.52
Cliff McClenaghan	Record Live Stock Commission Co	7,749.19
John Smith	Wm. R. Smith & Co	7,518.26
A. W. Tagg	Tagg Bros. & Moorhead	7,499.88
W. C. Lyman	Tagg Bros. & Moorhead	7,499.88
A. E. Anderson	Tagg Bros. & Moorhead	6,899.88
M. C. Wilkerson	Tagg Bros. & Moorhead	6,899.88
Allen H. Dudley	Allen Dudley & Co	6,643.66
N. R. Bryson	Bryson Bros	6,578.39
M. F. Guilfoyle	Corn Belt Commission Co	6,405.04
Chas. Burke	Burke-Rickly Co	6,402.38
John Ralston	John Ralston Commission Co	6,329.68
Chester P. Dudley	Allen Dudley & Co	6,043.65
T. J. Donahue	Donahue Bros., Inc	6,009.08
Geo. E. Martin	Martin Bros. & Co	5,683.46
Lou Bick	Lou Bick Commission Co	5,605.19
A. J. Adams	Lou Bick Commission Co	5,605.18
James J. Donahue	Inter-State Live Stock Commission Co	5,561.38
T. W. Farris	Farris-Marcy Co	5,545.14
H. W. Johnson	Tagg Bros. & Moorhead	5,399.88
T. H. Bryson	Bryson Bros	5,385.59
[fol. 974]		
C. W. Allyn	Lindley-Cahow Commission Co	5,350.47
L. J. Hough	Omaha Live Stock Commission Co	5,192.17
G. W. Greene	Greene-Madden & Co	5,147.41
W. Madden	Greene-Madden & Co	5,147.41
Webster Mills	Burke-Rickly Co	4,801.78
E. H. Burke	Burke-Rickly Co	4,801.78
A. J. Randall	Randall & Co	4,644.56
Clyde Kells	Fonda-Kells & Christie Co	4,506.25
John Fitz Roberts	Roberts Bros. & Rose	4,423.26
E. C. Johnson	Wood Bros	4,341.48
John Martin	Martin Bros. & Co	4,301.70
James Martin	Martin Bros. & Co	4,301.70
E. W. Boetel	Boetel Live Stock Commission Co	4,233.33
B. F. Roth	Wood Bros	4,182.94
J. Boetel	Great Western Commission Co	4,156.30
J. C. Cunningham	Security Live Stock Commission Co	4,010.25
Geo. E. Parker	Triangle Live Stock Commission Co	3,946.52
C. J. Horn	Triangle Live Stock Commission Co	3,946.52
John O. Willison	Triangle Live Stock Commission Co	3,946.53
E. Munson	Wood Bros	3,865.89
Frank E. Bliss	Bliss & Son	3,772.56
Eugene P. Melady	Melady Bros	3,738.50
Will H. Woods	Wood-Oswald Co	3,731.44
F. C. Bliss	Bliss, Wellman & Hopkins	3,709.88
F. A. Wellman	Bliss, Wellman & Hopkins	3,709.88
E. H. Hopkins	Bliss, Wellman & Hopkins	3,709.88
H. W. Moberly	Lee Live Stock Commission Co	3,523.54
E. J. Wright	Tagg Bros. & Moorhead	3,481.74
Chas. Hammer	Donahue Bros., Inc	3,390.85
J. C. Christie	Fonda-Kells & Christie Co	3,381.25
Frank Dworak	Dworak-Stolinski Commission Co	3,291.94
F. J. Stolinski	Dworak-Stolinski Commission Co	3,291.93
Wm. H. McAdams	McAdams Bros. & Ihnen	3,181.69
Robert Ihnen	McAdams Bros. & Ihnen	3,181.68
M. S. Morrill	Great Western Commission Co	3,156.33
T. H. Fonda, Jr	Fonda-Kells & Christie Co	3,012.49
H. A. Hough	Omaha Live Stock Commission Co	2,980.73
E. C. Clifton	Clifton Commission Co	2,962.71
Mr. Gant	Gant Live Stock Commission Co	2,799.76

Summary—Continued

Owner	Firm	Income per owner
Claude Clifton	Clifton Commission Co	2,662.70
Robert A. Gross	Randall & Co	2,565.62
Byron Clow	Byron Clow Co	2,550.50
J. R. McPhail	Inter-State Live Stock Commission Co	2,500.00
Leo Ryan	Donahue Bros., Inc	2,497.58
W. W. Rapp	Lee Live Stock Commission Co	2,382.66
[fol. 975]		
John J. Robb	Randall & Co	2,322.28
Matt Malone	Snyder-Malone-Coffman Co	2,230.27
J. N. Laird, Sr	Laird Live Stock Commission Co	2,216.77
T. B. McEntee	Randall & Co	2,078.93
Oscar Allen	Snyder-Malone-Coffman Co	1,943.42
J. N. Williams	Williams & Son	1,880.16
L. E. Williams	" "	1,880.16
F. M. Young	Byron Clow Co	1,850.17
H. J. Oswald	Wood-Oswald Co	1,731.45
G. J. Ingwerson	Ingwerson-Daugherty	1,712.51
R. B. Daugherty	" "	1,687.50
Henry Dolezel	Globe Live Stock Commission Co	1,634.56
P. H. Winn	Winn Bros.	1,532.90
J. P. Winn	" "	1,532.89
W. J. Dearth	Geo. M. Wood Sheep Commission Co	1,386.27
Frank G. Roberts	" " " " " "	1,303.14
Samuel Coffman	Central Live Stock Commission Co	1,052.15
B. Ward	Ward-Murphy Live Stock Commission Co.	1,043.04
M. J. Murphy	" " " " " "	1,043.04
S. R. Cox	Cox-Jones Commission Co	600.00
Wm. Frazier	Frazier-Johnson Co	580.20
J. R. Eastes	Wm. R. Smith & Son	518.26
Brad Hickox	Martin Bros. & Co	502.75
A. D. Majors	" " "	402.75
M. S. Burmeister	" " "	377.54
R. M. Burnes	" " "	318.77
Annis B. Moorhead	Tagg Bros. & Moorhead	318.03
H. G. Kiddoo	Byers Bros. & Co	133.49
M. G. Sherman	" " "	80.10
968 Other Shares of Stock	" " "	6,461.15
Jacob Jacobs	Jacob Jacobs Live Stock Commission Co	1,884.25*
Chas. Wood	Wood Bros	2,060.86*
5 Partners & 2 Co-Partners	John Clay & Co	5,124.76*
Books Sent to Chicago	Chas. O. Robinson & Co	15,420.87*
A. A. Daly	L. E. Roberts & Co	1,234.54*
T. A. Jackson	Jackson Live Stock Co	1,764.46*
A. Wertheimer	Rosenbaum Bros. & Co	4,819.74*
E. H. Ingwersen	" " " "	4,451.38*
J. H. Ingwersen	" " " "	1,882.73*
C. D. Mosier	" " " "	1,411.34*
H. K. Wertheimer	" " " "	941.36*
D. R. Ingwersen	" " " "	585.71*
C. J. Ingwersen	" " " "	5.65*
A. C. Borroff	" " " "	9.88*
E. G. Smith	" " " "	5.65*

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[fol. 976] Summary

No. of owners			Total income
2	From $15,000.00 to	$16,000.00	$30,205.44
1	14,000.00	15,000.00	14,121.33
2	13,000.00	14,000.00	26,553.87
2	12,000.00	13,000.00	25,655.32
3	11,000.00	12,000.00	34,499.14
2	10,000.00	11,000.00	20,168.34
1	9,000.00	10,000.00	9,523.26
5	8,000.00	9,000.00	43,232.57
6	7,000.00	8,000.00	45,844.72
9	6,000.00	7,000.00	58,211.64
11	5,000.00	6,000.00	59,623.28
12	4,000.00	5,000.00	52,705.33
20	3,000.00	4,000.00	70,971.04
13	2,000.00	3,000.00	32,750.51
15	1,000.00	2,000.00	23,213.36
10	Less than $1,000.00		3,831.89
	968 Shares of Stock, Byers Bros. & Co		6,461.15
	5 Partners, 2 Co-Partners, John Clay & Co		5,124.76*
	Chas. O. Robinson & Co. Books Sent to Chicago		15,420.87*
13	Loss		21,057.55*

Total Number of Owners—127.

24	Owners with an Average Income of	$10,408.50
52	" " " " " "	4,644.45
38	" " " " " "	1,573.57
13	" " " " Loss "	1,619.81*

Endorsed. Filed July 13, 1927. R. C. Hoyt, Clerk.

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fol. 977] EXHIBIT 123-A

Schedule of Earnings Individual Owners under Secretary's Order Excluding Increase to Speculators and Interest on Investment.

Omaha Live Stock Exchange, Omaha, Nebraska

Income to Owners, Year 1925

This schedule is compiled using the income that would have been received if the Secretary of Agriculture's Order had been in effect excepting that portion that allowed for an increase in Dealers & Speculators Commissions, and using the adjusted expense as shown in Schedule 2, except the actual owners' salaries are used in place of the 5-5 and 4 basis.

Owner	Firm	Income per owner
Thos. H. Lindley	Lindley-Cahow Commission Co	$13,450.98
W. F. Bavinger	Cox-Jones Commission Co	13,064.90
E. W. Cahow	Lindley-Cahow Commission Co	12,809.15
W. T. Cox	Cox-Jones Commission Co	11,932.45
D. C. Johnson	Mutual Live Stock Commission Co	10,586.75
J. T. Sullivan	Mutual Live Stock Commission Co	10,586.74
W. W. Buchanan	Alex G. Buchanan & Son	9,439.30
W. Davidson	Mutual Live Stock Commission Co	9,058.59
L. Jones	Mutual Live Stock Commission Co	9,058.58
A. E. Rogers	Omaha Live Stock Commission Co	8,773.79
C. F. Cox	Inter-State Live Stock Commission Co	8,351.07
R. Reynolds	Inter-State Live Stock Commission Co	8,351.07
H. H. Roberts	Roberts Bros. & Rose	8,187.44

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Owner	Firm	Income per owner
Joe McClenaghan	Record Live Stock Commission Co	7,562.75
R. M. Laverty	Laverty Bros	7,414.70
E. A. Rose	Roberts Bros. & Rose	7,287.44
C. L. Peterson	Great Western Commission Co	7,161.73
J. A. Alsworth	Great Western Commission Co	7,161.73
A. W. Tagg	Tagg Bros. & Moorhead	6,971.42
W. C. Lyman	Tagg Bros. & Moorhead	6,971.42
Cliff McClenaghan	Record Live Stock Commission Co	6,962.76
W. F. Denny	W. F. Denny & Co	6,848.89
John Smith	Wm. R. Smith & Co	6,847.09
W. B. Tagg	Tagg Bros. & Moorhead	6,645.86
A. E. Anderson	Tagg Bros. & Moorhead	6,371.42
M. C. Wilkerson	Tagg Bros. & Moorhead	6,371.42
T. J. Donahue	Donahue Bros. Inc	5,957.18
C. W. Allyn	Lindley-Cahow Commission Co	5,321.31
N. R. Bryson	Bryson Bros	5,235.86
Chas. Burke	Burke-Rickly Co	5,067.20
James J. Donahue	Inter-State Live Stock Commission Co	4,983.68
Lou Bick	Lou Bick Commission Co	4,889.27
A. J. Adams	Lou Bick Commission Co	4,889.27
H. W. Johnson	Tagg Bros. & Moorhead	4,871.42
Allen H. Dudley	Allen Dudley & Co	4,715.57
L. J. Hough	Omaha Live Stock Commission Co	4,564.17
T. J. Bryson	Bryson Bros	4,490.57
Geo. E. Martin	Martin Bros. & Co	4,383.25
M. F. Guilfoyle	Corn Belt Commission Co	4,326.64
[fol. 978]		
Clyde Kells	Fonda-Kells & Christie Co	4,321.99
A. J. Randall	Randall & Co	4,135.71
Chester P. Dudley	Allen Dudley & Co	4,114.57
E. C. Johnson	Wood Bros	4,066.07
Webster Mills	Burke-Rickly Co	3,800.39
E. H. Burke	Burke-Rickly Co	3,800.39
E. W. Boetel	Boetel Live Stock Commission Co	3,749.86
G. W. Greene	Greene-Madden & Co	3,740.85
W. Madden	Greene-Madden & Co	3,740.85
B. F. Roth	Wood Bros	3,632.15
J. Boetel	Great Western Commission Co	3,585.04
H. W. Moberly	Lee Live Stock Commission Co	3,506.27
Geo. E. Parker	Triangle Live Stock Commission Co	3,483.35
C. J. Horn	Triangle Live Stock Commission Co	3,483.35
John O. Willison	Triangle Live Stock Commission Co	3,483.34
Frank Dworak	Dworak-Stolinski Commission Co	3,214.24
F. J. Stolinski	Dworak-Stolinski Commission Co	3,214.23
J. C. Christie	Fonda-Kells & Christie Co	3,196.99
E. I. Wright	Tagg Bros. & Moorhead	3,161.45
John Fitz Roberts	Roberts Bros. & Rose	3,087.45
Will H. Woods	Wood-Oswald Co	3,076.74
James Martin	Martin Bros. & Co	3,014.54
John Martin	Martin Bros. & Co	3,014.53
E. J. Clifton	Clifton Commission Co	2,913.37
Chas. Hammer	Donahue Bros., Inc	2,872.04
H. A. Hough	Omaha Live Stock Commission Co	2,771.39
E. Munson	Wood Bros	2,764.29
Frank E. Bliss	Bliss & Son	2,751.28
J. C. Cunningham	Security Live Stock Commission Co	2,731.61
Wm. H. McAdams	McAdams Bros. & Ihnen	2,655.58
Tobert Ihnen	McAdams Bros. & Ihnen	2,655.57
R. H. Fonda, Jr	Fonda-Kells & Christie Co	2,643.98
Claude Clifton	Clifton Commission Co	2,613.36
M. S. Morrill	Great Western Commission Co	2,585.08
F. C. Bliss	Bliss, Wellman & Hopkins	2,537.77

Income to Owners, Year 1925—Continued

Owner	Firm	Income per owner
F. A. Wellman	Bliss, Wellman & Hopkins	2,537.77
E. H. Hopkins	Bliss, Wellman & Hopkins	2,537.76
Mr. Gant	Gant Live Stock Commission Co	2,514.47
J. R. McPhail	Inter-State Live Stock Commission Co	2,500.00
Robt. A. Gross	Randall & Co	2,273.03
Byron Clow	Byron Clow Co	2,259.02
Mat Malone	Snyder-Malone-Coffman Co	2,070.05
John J. Robb	Randall & Co	2,067.85
F. W. Farris	Farris-Marcy Co	2,011.78
[fol. 979]		
Oscar Allen	Snyder-Malone-Coffman Co	1,890.02
W. W. Rapp	Lee Live Stock Commission Co	1,881.59
T. B. McEntee	Randall & Co	1,862.68
J. N. Laird, Sr	Laird Live Stock Commission Co	1,792.18
F. M. Young	Byron-Clow Co	1,753.00
Eugene P. Melady	Melady Bros	1,637.94
G. J. Ingwerson	Ingwerson-Daugherty	1,621.20
R. B. Daugherty	Ingwerson-Daugherty	1,596.20
J. N. Williams	Williams & Son	1,558.76
L. E. Williams	Williams & Son	1,558.76
Leo Ryan	Donahue Bros., Inc	1,511.89
P. H. Winn	Winn Bros	1,501.29
J. P. Winn	Winn Bros	1,501.29
Henry Dolezal	Globe Live Stock Commission Co	1,372.99
Frank G. Roberts	Geo. M. Woods Sheep Commission Co	1,303.14
H. J. Oswald	Wood-Oswald Co	1,076.74
Samuel Coffman	Central Live Stock Commission Co	1,052.15
B. Ward	Ward-Murphy Live Stock Com. Co	1,018.40
M. J. Murphy	Ward-Murphy Live Stock Com. Co	1,018.40
John Ralston	John Ralston Commission Co	609.75
S. R. Cox	Cox-Jones Commission Co	600.00
W. J. Dearth	Geo. M. Woods Sheep Commission Co	525.24
Brad Hickox	Martin Bros. & Co	497.45
A. D. Majors	Martin Bros. & Co	397.45
M. S. Burmeister	Martin Bros. & Co	372.65
R. M. Burnes	Martin Bros. & Co	314.70
H. G. Kiddoo	Byers Bros. Co	41.14
M. G. Sherman	Byers Bros. & Co	24.68
968 Other Shares of Stock	Byers Bros. & Co	1,991.53
Books Sent to Chicago	Chas. O. Robinson & Co	17,544.96*
5 Partners & 2 Co-partners	John Clay & Co	6,664.11*
Chas. Wood	Wood Bros	5,641.04*
A. Wertheimer	Rosenbaum Bros. & Co	5,164.52*
E. H. Ingwersen	Rosenbaum Bros. & Co	4,766.48*
A. A. Daly	L. E. Roberts & Co	2,828.55*
Jacob Jacobs	Jacob Jacobs Live Stock Com. Co	2,839.45*
T. A. Jackson	Jackson Live Stock Commission Co	2,267.75*
J. H. Ingwersen	Rosenbaum Bros. & Co	2,015.42*
D. C. Mosier	Rosenbaum Bros. & Co	1,511.57*
H. K. Wertheimer	Rosenbaum Bros. & Co	1,007.71*
D. R. Ingwersen	Rosenbaum Bros. & Co	629.82*
A. B. Moorhead	Tagg Bros. & Moorhead	242.44*
[fol. 980]		
J. R. Eastes	W. R. Smith & Co	152.91*
A. C. Borroff	Rosenbaum Bros. & Co	10.08*
C. J. Ingwersen	Rosenbaum Bros. & Co	5.04*
E. G. Smith	Rosenbaum Bros. & Co	5.04*
Wm. Frazier	Frazier-Johnson Co	2.25*

[*Red in copy.]

Summary

No. of owners			Total income
2	From $13,000.00 to	$14,000.00	$26,515.88
1	12,000.00	13,000.00	12,809.15
1	11,000.00	12,000.00	11,932.45
2	10,000.00	11,000.00	21,173.49
3	9,000.00	10,000.00	27,556.47
4	8,000.00	9,000.00	33,663.37
5	7,000.00	8,000.00	36,588.35
8	6,000.00	7,000.00	53,990.28
4	5,000.00	6,000.00	21,581.55
13	4,000.00	5,000.00	58,753.18
19	3,000.00	4,000.00	64,986.01
21	2,000.00	3,000.00	53,267.05
19	1,000.00	2,000.00	28,508.62
9	Less than $1,000.00		3,383.06
	968 Shares of Stock, Byers Bros. & Co		1,991.53
	5 Partners, 2 Co-Partners, John Clay & Co		6,664.11*
	Chas. O. Robinson & Co., books sent to Chicago		17,544.96*
16	Loss		29,090.07*

Total Number of Owners—127.

18 Owners with an Average Income of	$9,457.73
44 Owners with an Average Income of	4,529.80
49 Owners with an Average Income of	1,737.93
16 Owners with an Average Loss of	1,818.13*

[*Red in copy.]

[fol. 981] EXHIBIT 124

Statement of Volume Applying Secretary's Tariff, Year Ending December 31, 1925

Selling:	Head	Conversion rate	Cars
Straight Cars:			
Cattle & Calves	1,390,916	...	52,575
Hogs	2,143,053	...	29,342
Sheep	2,057,559	...	8,409
Mixed Cars:			
Cattle)	(		
Calves)	(8,609,065	...	7,837
Hogs	347,896	...	....
Sheep	14,245	...	....
Drive-ins & Truck-ins:			
Cattle	66,655	27	2,469
Calves	22,177	60	369
Hogs	391,298	70	5,590
Sheep	118,629	225	527
Dealers & Speculators:			
Cattle	176,866	27	6,551
Calves	3,868	60	64
Hogs	425,734	70	6,082
Sheep	32,973	225	146
Total Selling	7,272,774	...	119,959
Buying:			
Straight Cars:			
Cattle & Calves	195,310	...	6,025
Hogs	23,722	...	235
Sheep	462,627	...	1,713
Mixed Cars:			
Cattle	32		
Calves	2	...	2
Hogs	64		

Drive-outs & Truck-outs:	Head	Conversion rate	Cars
Cattle	9,143	27	339
Calves	1,117	60	19
Hogs	2,365	70	34
Sheep	13,752	225	61
Dealers & Speculators:			
Cattle	5,525	27	205
Calves	36	60	1
Hogs	1,461	70	21
Sheep	689	225	3
Total Buying	715,845	...	8,658
Total Selling & Buying	7,988,619	...	128,617

Endorsed: Filed Jul. 13, 1927. R. C. Hoyt, Clerk.

[fol. 982] EXHIBIT 125

Comparative Statement of Commissions, Year Ended December 31, 1925

Firm No.	Tabulation accepted in Docket #143	Increase, decrease in red	Commissions applying sec. tariff
1	$40,934.58	$3,575.48*	$37,359.10
2	20,472.35	1,651.45*	18,820.90
3	27,168.77	595.82*	26,572.95
4	69,218.93	6,769.63*	62,449.30
5	20,319.91	1,505.11*	18,814.80
6	33,865.64	3,836.69*	30,028.95
7	38,692.90	3,789.35*	34,903.55
8	89,903.97	8,385.37*	81,518.60
9	78,208.56	9,308.86*	68,899.70
10	21,315.29	3,089.39*	18,225.90
11	13,904.32	1,759.62*	12,144.70
12	19,216.56	2,097.01*	17,119.55

Comparative Statement of Com.—Continued

Firm No.	Tabulation accepted in Docket #143	Increase, decrease in red	Commissions applying sec. tariff
13	117,732.91	12,647.21*	105,085.70
14	44,542.21	4,440.76*	40,101.45
15	17,817.31	1,361.86*	16,455.45
16	6,789.63	777.98*	6,011.65
17	9,103.69	634.14*	8,469.55
18	115,601.11	13,274.76*	102,326.35
19	31,560.56	1,044.44	1,044.44
20	21,409.19	375.81	21,785.00
21	19,116.43	1,972.78*	17,143.65
22	57,743.88	4,689.33*	53,054.55
23	42,238.51	3,740.06*	38,498.45
24	9,208.37	179.98	9,388.35
25	38,797.57	1,521.92*	37,275.65
26	2,105.40	291.05*	1,814.35
27	38,843.35	4,827.70*	34,015.65
28	95,298.18	11,364.83*	83,933.35
29	34,400.74	2,006.94*	32,393.80
30	62,764.36	3,212.76*	59,551.60
31	49,183.71	4,769.41*	44,414.30
32	11,288.58	22.68*	11,265.90
33	18,649.70	1,242.90*	17,406.80
34	56,882.07	691.07*	56,191.00
35	24,559.50	2,214.15*	22,345.35
36	4,981.49	301.74*	4,679.75
37	15,394.78	1,104.13*	14,290.65
38	46,327.61	4,185.11*	42,142.50
39	110,985.75	9,913.20*	101,072.55
40	38,812.58	4,145.63*	34,666.95
41	18,881.66	368.94	19,250.60
42	21,873.14	834.46	22,707.60
43	88,929.88	11,153.33*	77,776.55
44	28,712.95	2,740.10*	25,972.85
45	14,781.74	861.24*	13,920.50
46	56,449.13	4,862.38*	51,586.75
47	16,473.78	1,930.23*	14,543.55
48	91,303.51	8,011.76*	83,291.75
49	6,057.45	538.10*	5,519.35
50	6,056.96	657.86*	5,399.10

[*Red in copy.]

Comparative Statement of Com.—Continued

Firm No.	Tabulation accepted in Docket #143	Increase, decrease in red	Commissions applying sec. tariff
51.....	26,818.32	322.98	27,141.30
52.....	31,743.37	2,734.27*	29,009.10
53.....	32,025.60	4,444.25*	27,581.35
54.....	14,953.27	1,223.02*	13,730.25
55.....	8,863.22	926.82*	7,936.40
56.....	41,155.32	5,094.67*	36,060.65
57.....	13,865.80	1,242.00*	12,623.80
58.....	36,833.57	5,157.97*	31,675.60
60.....	13,145.16	1,251.81*	11,983.35
	$2,184,284.78	$191,421.08*	$1,992,863.70

Endorsed: Filed Jul. 13, 1927. R. C. Hoyt, Clerk.

[fol. 983] In United States District Court

[Title omitted]

Notice of Motion to Approve Statement of Evidence—Jan. 31, 1929

To the defendants and their attorneys of record:

You are hereby notified that the plaintiffs have lodged in the office of the Clerk of the District Court of the United States for the District of Nebraska, Omaha Division, a statement of the evidence, together with the objections thereto and the rulings thereon received at the trial of the above cause, and that on Monday the 11th day of February, 1929, at 9:00 o'clock A. M. or as soon thereafter as counsel may be heard the plaintiffs will appear in said court before Hon. J. W. Woodrough, Judge, and pray the court to settle and approve the said statement of the evidence and to order the same made a part of the transcript on appeal of the above cause to the Supreme Court of the United States.

James M. Beck, Francis A. Brogan, Alfred G. Ettick, Anan Raymond, Attorneys for Plaintiffs.

[*Red in copy.]

[fol. 984] STATE OF NEBRASKA,
County of Douglas, ss:

Anan Raymond being first duly sworn deposes and says that he is one of counsel for the plaintiffs in the above cause and that on the 31st day of January, 1929, he served upon the defendants herein notice of lodgment of statement of the evidence by delivering personally unto J. C. Kinsler, United States District Attorney for the District of Nebraska, and counsel of record for the defendants in the above cause, a notice of which the above and foregoing is a true and correct copy.

Anan Raymond.

Subscribed in my presence and sworn to before me this 31st day of January, 1929. R. C. Hoyt, Clerk. John Nicholson, Deputy. Seal United States District Court, District of Nebraska, Omaha Division.)

[fol. 985] IN UNITED STATES DISTRICT COURT

ORDER SETTLING STATEMENT OF EVIDENCE

This certifies that the above and foregoing is a correct statement of the evidence and rulings of the court in the trial of the above and within cause and is hereby approved; that those portions of the testimony repeated verbatim from the language of the witnesses are so included at the request of the parties and are hereby approved; and it is ordered that the above and foregoing statement of the evidence be made a part of the record herein.

Dated at Omaha, Nebraska, this 11th day of February, A. D. 1929.

J. W. Woodrough, Judge of the United States District Court for the District of Nebraska and one of the three judges participating in the trial and decision of the above-entitled cause.

[fol. 986] IN UNITED STATES DISTRICT COURT

[Title omitted]

ASSIGNMENT OF ERRORS—Filed Jan. 2, 1929

Now come Tagg Bros. & Moorhead, a corporation organized under the laws of the State of Nebraska, Richard M. Laverty, engaged in business under the name and style of Laverty Bros., Will H. Wood and Herman J. Oswald, co-partners doing business under the name and style of Wood-Oswald Co., C. A. Oss, doing business under the name and style of American Live Stock Com. Co.; R. R. Keenan and B. B. Blanchard, partners as Blanchard & Keenan; Frank E. Bliss, doing business under the name and style of Bliss & Son; Frank C. Bliss, Frank F. A. Wellman and Clair H. Hopkins, partners as Bliss-Wellman & Hopkins; Charles W. Boetel, doing business under the name and style of Boetel Live Stock Com. Co.; Bowles Live Stock Com. Co., at Omaha, a corporation organized under the laws of the State of Nebraska; Bryson Bros., a corporation organized under the laws of the State of Nebraska; W. W. Buchanan, doing business under the name and style of Alex G. Buchanan & Son; Chas. Burke, Webster Mills and Everett H. Burke, doing business as partners under the name of Burke Rickly Co.; Byers Bros. & Co. Live Stock Com. Corporation, a corporation organized under the laws of the State of Nebraska; John Clay, Frank H. Connor, C. A. Kleman, Alan F. Wilson and C. G. Smith, partners doing business under the name and style of John Clay & Co.; Clay C. Clifton and Claud Clifton, partners under the name and [fol. 987] style of Clifton Commission Co.; Clow-Lush, successors to Byron Clow, a corporation organized under the laws of the State of Nebraska; M. F. Guilfoyle, doing business under the name of Corn Belt Commission Co.; W. F. Bavinger and W. T. Cox, partners under the name and style of Cox-Jones Com. Co.; W. J. Dearth, doing business under the name and style of Dearth and Company (Successors to Geo. M. Wood Sheep Com. Co.); W. F. Denny, doing business under the name and style of W. F. Denny & Co.; Donahue Brothers, Inc., a corporation organized under the laws of the State of Nebraska; Allen H. Dudley and Chester P. Dudley, partners under the name and style of Allen Dud-

ley & Co.; Frank Dworak and Theo. J. Stolinski, partners under the name and style of Dworak-Stolinski Com. Co.; T. W. Farris, doing business under the name and style of Farris-Marcy Company; Fonda, Kells & Christie, a corporation, organized under the laws of the State of Nebraska; Frazier-Johnson Co., a corporation organized under the laws of the State of Nebraska; H. T. Gantz, doing business under the name and style of Gantz Live Stock Com. Co.; Henry Dolezal and D. P. Hogan, partners under the name and style of The Globe Live Stock Com. Co.; C. L. Peterson, J. O. Alsworth, M. S. Morrill and John Boetel, partners under the name and style of Great Western Com. Co.; G. W. Greene and Walter Madden, partners under the name and style of Greene Madden & Co.; R. B. Daugherty, doing business under the name and style of Ingwersen & Daugherty; Charles F. Cox, R. L. Reynolds, and J. J. Donahue, partners under the name and style of The Inter-State Live Stock Commission Co.; T. A. Jackson, doing business under the name and style of Jackson Live Stock Co.; Jim Jensen and Frank Sterba, partners under the name and style of Jensen-Sterba L. S. Com. Co.; Jacob Jacobs, doing business under the name and style of Jacob Jacobs Live Stock Comm. Co.; J. N. Laird, doing business under the name and style of Laird Live Stock Commission Company; Lee Live Stock Comm. Co., a corporation organized under the laws of the State of Nebraska; Lindley-Cahow Company, a corporation organized under the laws [fol. 988] of the State of Nebraska; Wm. H. McAdams and Robert O. Ihnen, partners under the name and style of McAdams Bros. & Ihnen; Frank McDonald, doing business under the name and style of Frank McDonald Live Stock Com. Co.; Martin Bros. & Company, a corporation organized under the laws of the State of Nebraska; Eugene P. Melady, doing business under the name and style of Melady Bros.; D. C. Johnson and J. T. Sullivan, partners doing business under the name and style of Mutual Live Stock Com. Co.; Omaha Live Stock Com. Co., a corporation organized under the laws of the State of Nebraska; John Ralston, doing business under the name and style of Ralston Live Stock Com. Co.; Randall & Company, a corporation organized under the laws of the State of Nebraska; Clifford McCleneghan, doing business under the name and style of Record Live Stock Com. Co.; H. H. Roberts and E. A.

Rose, partners under the name and style of Roberts Bros. & Rose Live Stock Com. Co.; L. E. Roberts & Co., a corporation organized under the laws of the State of Nebraska; Carl Wallin, Ward Burgoin and Chris Hansen, partners under the name and style of Charles O. Robinson & Co.; Rosenbaum Bros. & Co., a corporation organized under the laws of the State of Illinois; John Cunningham, doing business under the name and style of Security Live Stock Com. Co.; John Smith and J. C. Eastes, partners under the name and style of Wm. R. Smith & Son; Snyder Malone Coffman Co., Inc., a corporation organized under the laws of the State of Nebraska; Geo. E. Parker, C. J. Horn and John O. Nielsen, partners under the name and style of Triangle Live Stock Com. Co.; Jay N. Williams and L. E. Williams, partners under the name and style of Williams & Sons; P. H. Winn and J. P. Winn, partners under the name and style of Winn Bros.; Kay Wood, E. N. Munson, B. F. Roth, C. H. Cheyney and C. C. Johnson, partners under the name and style of Wood Bros, Omaha; and assign the following errors of the trial court, upon which plaintiffs and appellants will rely in the prosecution of their appeal [fol. 989] to the Supreme Court of the United States, from the final order and judgment of the trial court made and entered herein December 31st, 1928.

1. The Packers and Stockyards Act of August 15, 1921, (Chapter 64, 42 Stat. at Large 159), insofar as it purports to authorize the Secretary of Agriculture to fix the commissions charged by commission men for the handling and selling of live stock in the stockyards, is invalid for the following reasons:

(a) It is not a regulation of interstate commerce within the meaning of the commerce clause of the constitution.

(b) Even if it be a regulations of commerce, yet the said portion of the statute and the action taken thereunder by the Secretary of Agriculture, are subject to the prohibition of the Fifth Amendment and are, therefore, void as an impairment of the liberty of contract guaranteed by such amendment, and constitute a taking of property without due process of law.

(c) In so far as the said Act of Congress attempts to delegate to an executive official the power to fix the labor wages

of commission men, it is also void, as the Constitution has not authorized Congress to delegate such a power to regulate the wages of labor for a personal service.

2. The Court erred in finding that the Packers and Stock Yards Act of 1921, Title II (Chapter 64, 42 Statutes at Large 159; U. S. C. 1925, Title 7, Chapter 9), gives to the Secretary of Agriculture the power to issue an order to market agencies, such as plaintiffs, at the conclusion of any hearing before him, the only authority for the issuance of an order of such character being found in Section 310 of [fol. 990] said Act, which, in respect to market agencies, provides only that the Secretary may determine and prescribe just and reasonable rates, charges and practices to be thereafter observed, but the authority to issue an order applying only to the owners and operators of stockyards and not to market agencies.

3. The Court erred in refusing to find that by the terms of Section 306(e) of the Packers and Stockyards Act of August 15, 1921, and by the terms of the order of suspension of January 25, 1926, the lawful scope of inquiry before the Secretary of Agriculture did not extend beyond the question whether Tariff No. 2, as set forth in the exhibits to the petition, insofar as in excess of Tariff No. 1, was unlawful or was unjust, unreasonable or discriminatory, and so much of the order as reduced the rates and charges in Tariff No. 1 was beyond the lawful scope of the inquiry and to that extent the order of November 19, 1926 is void.

4. The Court erred in failing and refusing to find and hold that the rates and charges prescribed by the Secretary's order of November 19th, 1926, are unjust and illegal, in that they will not provide sufficient remuneration to repay petitioners their lawful expenses and a reasonable and just compensation for their services, and the enforcement of the order will have the effect of depriving petitioners of their property without due process of law, contrary to provisions of the Fifth Amendment to the Constitution of the United States.

5. The Court erred in failing and refusing to hold that the evidence presented to the Secretary of Agriculture was not sufficient to show or to establish that the tariff pre-

scribed in the order of November 19th, 1926, would adequately compensate petitioners for their services and for the usual and legitimate disbursements made in rendering same.

6. The Court erred in holding that the presumption as [fol. 991] to the reasonableness of the actual costs of a utility, in the absence of affirmative evidence of waste, extravagence and excessiveness, does not apply to the plaintiffs or to the business carried on by them.

7. The Court erred in finding and holding that the Secretary of Agriculture in issuing the order of November 19, 1926, had before him sufficient evidence upon which to construct a rate base, and in finding and holding that the Sec. retary in issuing said order included in the rate bases all items of expense to the plaintiffs.

8. The Court erred in holding that the Secretary could not find or ascertain from the actual operation of the business carried on by plaintiffs any common ground of reasonable maximum charges.

9. The Court erred in finding and holding that there is such variation in the several items of out-of-pocket costs of the various plaintiffs as to afford no uniform basis for fixing their actual costs as a part of a rate base.

10. The Court erred in sustaining the Secretary of Agriculture in disregarding actual costs in favor of "A normal of the actual cost of the particular item to those firms whose financial condition exhibits ordinary efficient management in their business."

11. The Court erred in sustaining the finding of the Secretary of Agriculture that the reasonable cost of handling a car of live stock in 1925 on the Omaha market was $13.25 for cattle, $9.85 for hogs and $13.05 for sheep.

12. The Court erred in finding and holding that the Secretary's finding as to the selling cost per car was based on evidence as to the actual experience in plaintiffs' business and that said finding was within his power and discretion.

13. The Court erred in holding that not one, nor an average, of the cost figures disclosed by the evidence as to the

[fol. 992] actual operation of plaintiff's business could be accepted as a reasonable standard for rate making purposes.

14. The Court erred in refusing to set aside the finding of the Secretary as to selling costs.

15. The Court erred in failing and refusing to find that the practical application to the plaintiffs' business of the Secretary's finding as to the reasonable cost of selling per car showed the Secretary's order unjust and unreasonable.

16. The Court erred in holding and finding that a comparison of actual averages of costs expended by plaintiffs in their business was immaterial; in failing to give any significance to actual averages so found; and in holding that such averages had no tendency to show that the finding of the Secretary, as to reasonable costs, was erroneous.

17. The Court erred in sustaining the Secretary's finding as to "reasonable costs" of other items of expense and in sustaining the Secretary's refusal to be bound by the facts as to the actual operation of the business, in arriving at reasonable costs.

18. The Court erred in holding that it was the plaintiffs' duty at the hearing before the Secretary to apprise him of all overhead cost items that should be taken into account in fixing a rate base.

19. The Court erred in holding that going concern value should not be an element of the rate base in a business such as plaintiffs'.

20. The Court erred in finding and holding that the allowance of the reasonable cost of business getting, which included advertising, by the Secretary of Agriculture, was reasonable and within his powers.

21. The Court erred in holding that the Secretary's failure, in arriving at reasonable costs, to allow for bad debts, supervision, additional invested capital, going concern [fol. 993] value and depreciation should have been called to the Secretary's attention by the plaintiffs; and in holding that the Secretary's failure to include these items was

immaterial and had no bearing on the issue as to whether or not the Secretary's rates were confiscatory.

22. The Court erred in holding that the confiscatory character of the rates prescribed by the Secretary could not be demonstrated in advance of their practical operation.

23. The Court erred in holding that the rates prescribed by the Secretary included a sufficient margin to cover the basic costs omitted by him.

24. The Court erred in disregarding the undisputed evidence as to the effect of the increase, authorized in the Secretary's order, in the rate prescribed for traders and speculators.

25. The Court erred in holding immaterial the undisputed evidence as to the practical effect of the Secretary's rates on the individual plaintiffs, and the undisputed evidence as to the inability of individual plaintiffs to transact business, except at a loss, thereunder.

26. The Court erred in disregarding and in finding immaterial the evidence adduced before the Special Master as to the practical application of the Secretary's rates; in eliminating from consideration the undisputed evidence as to the effect of practical application of the cost items found and allowed by the Secretary; and in finding such evidence immaterial on account of the inclusion therein of cost items condemned by the Secretary's order, without affirmative proof of the excessiveness of the several cost items so condemned by him.

27. The Court erred in finding and holding that a rate for personal services, admittedly confiscatory as to plaintiffs doing a small amount of business, and as to many of [fol. 994] plaintiffs irrespective of the amount of their business, can be sustained by fixing the number of plaintiffs entitled to carry on the business, or by eliminating numerous plaintiffs for the purpose of increasing compensation to those remaining.

28. The Court erred in finding that the plaintiffs' attack upon the order of the Secretary was not sustained by the evidence.

29. The Court erred in dissolving the temporary injunction and in denying to plaintiffs a permanent injunction.

30. The Court erred in dismissing the petition of the plaintiffs and the petition in intervention of the intervening plaintiffs.

31. The Court erred in failing and refusing to sustain plaintiffs' motion to confirm the report of the Special Master and enter decree in accordance therewith.

James M. Beck, Francis A. Brogan, Alfred G. Ellick, Anan Raymond, Attorneys for Plaintiffs.

[File endorsement omitted.]

[fol. 995] In United States District Court

[Title omitted]

Petition for Appeal—Filed Jan. 2, 1929

The above named Tagg Bros. & Moorhead, a corporation, organized under the laws of the State of Nebraska, Richard M. Laverty, engaged in business under the name and style of Laverty Bros., Will H. Wood and Herman J. Oswald, co-partners doing business under the name and style of Wood-Oswald Co., C. A. Oss, doing business under the name and style of American life Stock Com. Co.; R. R. Keenan and B. B. Blanchard, partners as Blanchard & Keenan; Frank E. Bliss, doing business under the name and style of Bliss & Son; Frank C. Bliss, Frank F. A. Wellman and Clair H. Hopkins, partners as Bliss-Wellman & Hopkins; Charles W. Boetel, doing business under the name and style of Boetel Live Stock Com. Co.; Bowles Live Stock Com. Co. at Omaha, a corporation organized under the laws of the State of Nebraska; Bryson Bros., a corporation organized under the laws of the State of Nebraska; W. W. Buchanan, doing business under the name and style of Alex G. Buchanan & Son; Chas. Burke, Webster Mills and Everett H. Burke, doing business as partners under the name of Burke Rickly Co.; Byers Bros. & Co. Live Stock Com. Corporation, a corporation organized under the laws

of the State of Nebraska; John Clay, Frank H. Connor, [fol. 996] C. A. Kleman, Alan F. Wilson and C. G. Smith, partners doing business under the name and style of John Clay & Co.; Clay C. Clinton and Claud Clifton, partners under the name and style of Clifton Commission Co.; Clow-Lush, successors to Bryon Clow, a corporation organized under the laws of the State of Nebraska; M. F. Guilfoyle, doing business under the name of Corn Belt Commission Co.; W. F. Bavinger and W. T. Cox, partners under the name and style of Cox-Jones Com. Co.; W. J. Dearth, doing business under the name and style of Dearth and Company (Successors to Geo. M. Wood Sheep Com. Co.); W. F. Denny, doing business under the name and style of W. F. Denny & Co.; Donahue Brothers, Inc., a corporation organized under the laws of the State of Nebraska; Allen H. Dudley and Chester P. Dudley, partners under the name and style of Allen Dudley & Co.; Frank Dworak and Theo. J. Stolinski, partners under the name and style of Dworak-Stolinski Com. Co.; T. W. Farris, doing business under the name and style of Farris-Marcy Company; Fonda Kells & Christie, a corporation, organized under the laws of the State of Nebraska; Frazier-Johnson Co., a corporation organized under the laws of the State of Nebraska; H. T. Gantz, doing business under the name and style of Gantz Live Stock Com. Co.; Henry Dolezal and D. P. Hogan, partners under the name and style of The Globe Live Stock Com. Co.; C. L. Peterson, J. O. Alsworth, M. S. Morrill and John Boetel, partners under the name and style of Great Western Com. Co.; G. W. Greene and Walter Madden, partners under the name and style of Greene Madden & Co.; R. B. Daugherty, doing business under the name and style of Ingwersen & Daugherty; Charles F. Cox, R. L. Reynolds, and J. J. Donahue, partners under the name and style of The Inter-State Live Stock Commission Co.; T. A. Jackson, doing business under the name and style of Jackson Live Stock Co.; Jim Jensen and Frank Sterba, partners under the name and style of Jensen-Sterba L. S. [fol. 997] Com. Co; Jacob Jacobs doing business under the name and style of Jacob Jacobs Live Stock Com. Co.; J. N. Laird, doing business under the name and style of Laird Live Stock Commission Company; Lee Live Stock Comm. Co., a corporation organized under the laws of the State

of Nebraska; Lindley-Cahow Company, a corporation organized under the laws of the State of Nebraska; Wm. H. McAdams and Robert O. Ihnen, partners under the name and style of McAdams Bros. & Ihnen; Frank McDonald, doing business under the name and style of Frank McDonald Live Stock Com. Co.; Martin Bros. & Company, a corporation organized under the laws of the State of Nebraska; Eugene P. Melady, doing business under the name and style of Melady Bros.; D. C. Johnson and J. T. Sullivan, partners doing business under the name and style of Mutual Live Stock Com. Co.; Omaha Live Stock Com. Co., a corporation organized under the laws of the State of Nebraska; John Ralston, doing business under the name and style of Ralston Live Stock Com. Co.; Randall & Company, a corporation organized under the laws of the State of Nebraska; Clifford McCleneghan, doing business under the name and style of Record Live Stock Com. Co.; H. H. Roberts and E. A. Rose, partners under the name and style of Roberts Bros. & Rose Live Stock Com. Co.; L. E. Roberts & Co., a corporation organized under the laws of the State of Nebraska; Carl Wallin, Ward Burgoin and Chris Hansen, partners under the name and style of Charles O. Robinson & Co.; Rosenbaum Bros. & Co., a corporation organized under the laws of the State of Illinois; John Cunningham, doing business under the name and style of Security Live Stock Com. Co.; John Smith and J. C. Eastes, partners under the name and style of Wm. R. Smith & Son; Snyder Malone Coffman Co. Inc., a corporation organized under the laws of the State of Nebraska; Geo. E. Parker, C. J. Horn and John O. Neilsen, partners under the name and style of Triangle Live Stock Com. Co.; Jay N. Williams [fol. 998] and L. E. Williams, partners under the name and style of Williams & Sons; P. H. Winn and J. P. Winn, partners under the name and style of Winn Bros.; Kay Wood, E. N. Munson, B. F. Roth, C. H. Cheyney and C. C. Johnson, partners under the name and style of Wood Brothers, Omaha; plaintiffs herein, conceiving themselves to be aggrieved by the final order and judgment entered in the above entitled cause at the September, 1928, term of said court, to-wit, on the 31st day of December, 1928, hereby appeal from the said final order and judgment in which said final order and judgment it is considered and adjudged

that the temporary injunction heretofore issued herein should be dissolved and that the petition of the plaintiffs and of the intervening plaintiffs be dismissed at plaintiffs' costs, and pray that this, their appeal to the Supreme Court of the United States, may be allowed and that a citation may be issued, as provided by law, and that a transcript of the record, proceedings and papers upon which said final order and judgment of this court was made, duly authenticated, may be sent to said Supreme Court of the United States.

At the time of filing their petition for appeal, the said plaintiffs file herein an assignment of errors, setting up separately and particularly each error assigned and intended to be urged before the Supreme Court of the United States.

James M. Beck, Francis A. Brogan, Alfred G. Ellick, Anan Raymond, Attorneys for Plaintiffs.

January 2, 1929.

[File endorsement omitted.]

[fol. 999] In United States District Court

In Equity. No. 847

Tagg Bros. & Moorhead, a Corporation, et al., Petitioners,

vs.

The United States of America et al., Respondents; C. A. Oss et al., Intervening Plaintiffs.

Order Allowing Appeal—Filed Jan. 2, 1929

Upon reading the petition of the plaintiffs and of the intervening plaintiffs herein, dated January 2, 1929, for the allowance of an appeal herein, and on consideration of the assignment of errors presented therewith, ordered that the appeal as prayed for be and is hereby allowed in favor of the plaintiffs and the intervening plaintiffs upon the final order and judgment to the Supreme Court of the United States, and that a duly certified transcript of the

record, evidence and all proceedings herein be forthwith authenticated and transmitted to the Clerk of the Supreme Court of the United States.

It is further ordered that the plaintiffs and intervening plaintiffs be and they are hereby required to give a good and sufficient appeal bond in the sum of $1,000.00 conditioned according to law, the same to operate as a supersedeas bond and bond for costs and damages in the said appeal; and that upon the giving of said bond and its approval, the temporary injunction heretofore issued herein be and remain in full force and effect during the pendency of such appeal.

By the Court:

J. W. Woodrough, District Judge, one of the judges sitting in said cause and participating in the decision thereof.

[File endorsement omitted.]

[fols. 1000-1004] Bond on Appeal for $1,000, approved and filed January 12, 1929, omitted in printing.

[fol. 1005] In United States District Court

[Title omitted]

Notice of Appeal—Filed Jan. 2, 1929

The above named defendants and their attorneys will take notice that the plaintiffs and the intervening plaintiffs appeal to the Supreme Court of the United States from the final order and judgment made and entered herein December 31st, 1928, entering judgment in favor of the defendants and against the plaintiffs, and dismissing the petition of the plaintiffs and intervening plaintiffs herein at plaintiffs' costs.

That the plaintiffs' said appeal is taken for the purpose of reviewing the proceedings at the trial of said cause and for the purpose of reversing said final order and judgment or decree of the trial court from which this appeal is taken,

and for the further purpose of having judgment entered in favor of the plaintiffs and intervening plaintiffs herein, as prayed in their amended petition and petition of intervention.

[fol. 1006] You are further notified that in prosecuting this appeal the plaintiffs and intervening plaintiffs will rely on the assignment of errors filed in the office of the Clerk of said court in which this action is pending.

And you and each of you are hereby further notified to be and appear in said Supreme Court of the United States, at the City of Washington, District of Columbia, thirty days from and after the date of this notice of appeal, to show cause, if any there be, why said final judgment, order or decree appealed from should not be corrected and why speedy justice should not be done the parties in that behalf.

Dated this 2d day of January, 1929.

James M. Beck, Francis A. Brogan, Alfred G. Ellick, Anan Raymond, Attorneys for Plaintiffs and Intervening Plaintiffs.

[fol. 1007] STATE OF NEBRASKA,
County of Douglas, ss:

Anan Raymond, being first duly sworn deposes and says that he is one of the attorneys for the plaintiffs and intervening plaintiffs, above named; that on the 2nd day of January, 1929, he served the above and foregoing Notice of Appeal upon the defendants herein and each of them, by delivering unto J. C. Kinsler, United States District Attorney and attorney of record for the defendants herein, personally, a notice of which the within and foregoing is a true copy.

Anan Raymond.

Witness my hand and official seal the date last above written.

R. C. Hoyt, Clerk. John Nicholson, Deputy. (Seal United States District Court, District of Nebraska, Omaha Division.)

[File endorsement omitted.]

[fols. 1008-1010] Citation, in usual form, showing service on J. C. Kinsler, filed January 2, 1929, omitted in printing.

[File endorsement omitted.]

[fol. 1011] In United States District Court

[Title omitted]

Motion to Set Aside Portion of Order Allowing Appeal

Come now the defendants by James C. Kinsler, United States Attorney, William J. Donovan, The Assistant to the Attorney General, and H. B. Teegarden, Special Assistant to the Attorney General, and move to vacate and set aside as null and void so much of the order allowing appeal, hereinbefore entered, as authorizes the appeal bond to operate as a supersedeas and grants or continues a temporary injunction during the pendency of such appeal.

The reasons for this motion more fully appear in the supporting statement filed herewith.

William J. Donovan, the Assistant to the Attorney General. H. B. Teegarden, Special Assistant to the Attorney General. James C. Kinsler, United States Attorney.

[fol. 1012] In United States District Court

[Title omitted]

Statement in Support of Motion to Vacate—Filed Jan 7, 1929

This case is brought under Section 316 of the Packers and Stockyards Act, 1921, 42 Stat. 159, which incorporates by reference laws relating to setting aside orders of the Interstate Commerce Commission. Among these is the Urgent Deficiencies Act of October 22, 1913, 38 Stat. 218, which forbade the issuance of any temporary or permanent injunction against an order of the Interstate Commerce Commission except by a court of three judges constituted

as therein provided. Such a court has heard this case and rendered its decision of December 18, 1928, in which it concluded that the temporary injunction hereinbefore issued should be dissolved and plaintiffs' and intervenor's bills be dismissed. This was carried out by Judge Woodrough's order of December 31, 1928.

From this order the plaintiffs and intervenors appeal, and in the order allowing appeal, entered January 2, 1929 by Judge Woodrough alone, the appellants were required to give an appeal bond in the sum of one thousand dollars, "the same to operate as a supersedeas bond and bond for costs and damages in the said appeal, and that on the giving of said bond and its approval, the temporary injunction heretofore issued herein be and remain in full force and effect during the pendency of such appeal." It is this por- [fol. 1013] tion of the order which the Government now moves to vacate and set aside as jurisdictionally invalid.

Argument

In Cumberland Telephone & Telegraph Company v. Louisiana Public Service Commission, 260 U. S. 212, the District Court had denied the plaintiff's application for an interlocutory injunction against the enforcement of the Commission's order reducing the company's telephone rates. In the order allowing appeal Judge Foster, sitting alone, granted a supersedeas and continued the original restraining order until the appeal could be determined. On motion by the Commission before the Supreme Court of the United States, that court held that the supersedeas had no effect, and that a single judge of a three judge court required to hear applications for injunctions against state officers had no power to continue or grant a restraining order pending appeal from the three judge decision. The court declared "This is a question of statutory power and jurisdiction, not one of judicial discretion or equitable consideration." The record indicated that Judge Foster was carrying out the wishes of the other two judges, but the Supreme Court held this immaterial and declared that such an order could only be issued as the formal act of the three judges or a majority of them, either over their signatures or by announcement in open court with the three judges sitting, and only after notice of the application to opposing

counsel, except in extraordinary circumstances (p. 218). While the three judge court in that case was under a different statute from the one which sat in the present case, the purpose and procedure of the two statutes are identical, the only important difference being that one relates to or-[fol. 1014] ders of the Interstate Commerce Commission and the Secretary of Agriculture, while the other relates to orders of State officials and administrative boards. Indeed, the Supreme Court recognizes this similarity in Virginian Railway Company v. United States, 272 U. S. 658, 672, where it discusses the power of a three judge court, such as the present one, to continue a temporary injunction pending appeal from its order of dismissal.

The present motion is jurisdictional, but does not represent a technical position by the Government. It is believed that the continuance of an injunction pending appeal is not warranted in this case under the principles laid down in the Cumberland Telephone & Telegraph case, supra, and in Virginian Railway Company v. United States, 272 U. S. 658. There the District Court refused the Railway's application for a temporary injunction against a rate fixing order of the Interstate Commerce Commission, and dismissed the bill, but in its final decree included a clause restraining the enforcement of the Commission's order pending the perfecting and determination of the appeal. This, therefore, had a sanction of the full three judge court. The United States took a cross appeal from this portion of the order, and the Supreme Court sustained the Government, holding that when a lower court has once dismissed the bill on the merits it raises a strong presumption as to the validity of the order at which the suit is aimed and it should not be further enjoined except under extraordinary circumstances. The imminence of irrreparable damage to the appellant pending appeal is not such a circumstance. The court further said:

To justify granting the stay after a final decree sustaining the Commission's order, it must appear either that the [fol. 1015] district court entertains a serious doubt as to the correctness of its own decision; or that the decision depends upon a question of law on which there is conflict among the courts of the several circuits; or that some other special reason exists why the order of the Commission

ought not to become operative until its validity can be considered by this Court (673).

Conclusion

For these reasons it is respectfully submitted that the court's order allowing appeal should be modified as prayed.

William J. Donovan the Assistant to the Attorney General. H. B. Teegarden, Special Assistant to the Attorney General. James C. Kinsler, United States Attorney.

[File endorsement omitted.]

[fol. 1016] In United States District Court

[Title omitted]

Order Vacating Portion of Order Allowing Appeal—Filed Jan. 19, 1929

On the 19th day of January, 1929, the above entitled matter came on to be heard on the motion of the defendants filed herein January 7, 1929, "to set aside portion of order allowing appeal," and was duly submitted to the Court; and now the Court, being fully advised in the premises, finds that said motion should be sustained.

Wherefore it is considered and ordered by the Court that said motion of the defendants be and it is hereby sustained, and

It is further ordered that so much of said "order allowing appeal" made, entered and filed herein January 2, 1929, as reads as follows, namely:

"The same to operate as a supersedeas bond * * * in the said appeal; and that upon the giving of said bond and its approval the temporary injunction heretofore issued herein be and remain in full force and effect during the pendency of such appeal."

be and it is hereby vacated and set aside as null and void.

The plaintiffs are duly allowed an exception to the foregoing findings and rulings of the Court.

Dated this 19th day of January, 1929.

[fol. 1017] By the Court:

—— ——, United States Circuit Judge. J. W. Woodrough, United States District Judge. —— ——, United States District Judge.

[File endorsement omitted.]

[fol. 1018] In United States District Court

[Title omitted]

Motion for Supersedeas—Filed Jan. 19, 1929

Come now the petitioners and the intervening plaintiffs and move the Court to grant a supersedeas of the decree rendered and entered in this cause by this Court, pursuant to the opinion and decision of three judges assigned to the hearing thereof on the 31st day of December, 1928, pending the hearing of the appeal to the Supreme Court of the United States, which has already been taken and allowed; and they also move the court to continue in effect during the pendency of the said appeal in the said Supreme Court of the United States the temporary injunction issued by the said three judges on the 31st day of December, 1926, suspending the order of the Secretary of Agriculture of November 19th, 1926, the said continuance of said temporary injunction to be upon such terms and conditions for the protection of all persons affected by the said temporary injunction as the Court may order and direct.

James M. Beck, Francis A. Brogan, Alfred G. Ellick, Anan Raymond, Attorneys for Petitioners and Intervening Plaintiffs.

[File endorsement omitted.]

[fol. 1019] In United States District Court

[Title omitted]

Notice of Application for Supersedeas—Filed Feb. 13, 1929

To the respondents and their attorneys of record:

You and each of you are hereby notified that on Saturday the 9th day of February, 1929, at the hour of 10:00 o'clock

in the forenoon, or as soon thereafter as counsel can be heard in the Federal Building at Oklahoma City in the State of Oklahoma, before Honorable Robert E. Lewis, Circuit Judge, Honorable J. W. Woodrough, District Judge, and Honorable George C. Scott, District Judge, the petitioners and intervening plaintiffs in the above cause will present their application for an order to supersede the decree entered in the above cause in the said court on the 31st day of December, 1928, dissolving the temporary injunction issued at the commencement of the action on the 31st day of December, 1926, and for a further order continuing in effect during the pendency of this cause in the Supreme Court of the United States the said temporary injunction upon such terms and conditions as the court in the said hearing may prescribe.

A copy of the said motion is hereto annexed.

James M. Beck, Francis A. Brogan, Alfred G. Ellick, Anan Raymond, Attorneys for Petitioners and Intervening Plaintiffs, Appellants.

[fol. 1020] Service of the above notice acknowledged this 31st day of January, 1929.

James C. Kinsler, United States District Attorney.

[File endorsement omitted.]

[fol. 1021] In United States District Court

[Title omitted]

Order Denying Application for Temporary Injunction—Filed Feb. 11, 1929

This case came on this day for further hearing upon application of applicants for a temporary injunction pending the determination of their appeal in the Supreme Court of the United States; And the parties being represented by counsel, and the Court being fully advised in the premises,

It is hereby ordered, adjudged, and decreed that said application be, and the same is hereby, denied.

To which ruling the appellants except.

Robt. E. Lewis, Circuit Judge. J. W. Woodrough, District Judge. Geo. C. Scott, District Judge.

[File endorsement omitted.]

[fol. 1022] IN UNITED STATES DISTRICT COURT

[Title omitted]

PRÆCIPE FOR TRANSCRIPT OF RECORD—Filed Jan. 2, 1929

The Clerk of the said Court is requested to prepare and transmit to the Clerk of the Supreme Court of the United States a transcript of the record, and include therein the following, to-wit:

1. Amended Petition and Exhibits thereto.
2. Temporary Injunction.
3. Petition of additional Parties.
4. Answers of defendants.
5. Motion of plaintiffs to refer.
6. Order of reference.
7. Report of Special Master.
8. Motion to confirm report of Special Master and for decree.
9. Exceptions to report of Special Master.
10. All trial orders.
11. Statement of the evidence.
12. Opinion of the court.
13. Final judgment.
14. Assignment of errors.
15. Petition for appeal.

[fol. 1023] 16. Order allowing appeal.

17. Citation and service thereof.
18. Notice of Appeal and service thereof.
19. Bond on Appeal.
20. Præcipe for transcript of record and Clerk's certificate to transcript.

Francis A. Brogan, Alfred G. Ellick, Anan Raymond, James M. Beck, Attorneys for Plaintiffs and Intervening Plaintiffs.

STATE OF NEBRASKA,
County of Douglas, ss:

Anan Raymond, being first duly sworn deposes and says that he is one of the attorneys for the plaintiffs and intervening plaintiffs, above named; that on the 2nd day of January, 1929, he served the above and foregoing præcipe

for transcript upon the defendants herein and each of them, by delivering to J. C. Kinsler, United States District Attorney and attorney of record for the defendants herein, personally, a true copy of said præcipe and of all endorsements thereon.

Anan Raymond.

Witness my hand and official seal the date last above written.

R. C. Hoyt, Clerk. John Nicholson, Deputy. (Seal.)

[File endorsement omitted.]

[fol. 1024] In United States District Court

[Title omitted]

Supplemental Præcipe—Filed Feb. 13, 1929

The Clerk of the said Court is requested to prepare and transmit to the Clerk of the Supreme Court of the United States a transcript of the record, and include therein the following in addition to the papers included in original præcipe herein, to-wit:

1. Motion of defendants to vacate portion of order of appeal relating to supersedeas.
2. Order sustaining said motion.
3. Application for order superseding decree and continuing temporary injunction in effect.
4. Notice of hearing upon said application.
5. Order denying said application.
6. Supplemental præcipe.

James M. Beck, F. A. Brogan, A. G. Ellick, Anan Raymond, Attorneys for Petitioners and Intervening Plaintiffs, Appellants.

[fol. 1025] United States of America,
State of Nebraska,
Douglas County, ss:

Anan Raymond being duly sworn, deposes and says that he is one of plaintiffs' attorneys in the above cause. That

on February 13, 1929 he served the within and above supplemental præcipe upon defendants by delivering personally to J. C. Kinsler, United States District Attorney and attorney of record for defendants, a true and correct copy of same.

Anan Raymond.

Subscribed in my presence and sworn to before me February 13, 1929. R. C. Hoyt, Clerk United States District Court. John Nicholson, Deputy. (Seal.)

[File endorsement omitted.]

[fols. 1026-1028] Clerk's certificate to foregoing transcript omitted in printing.

[fol. 1029] In Supreme Court of the United States

Statement of Points to be Relied Upon and Designation of Parts of Record to be Printed—Filed March 12, 1929

Appellants hereby adopt the statement of points upon which they intend to rely as set forth in the assignment of errors appearing at page 123 of the record herein; and the designation of the parts of the record which they consider necessary for the consideration of the points relied upon, as set forth in the præcipe and supplemental præcipe herein, respectively, as the statement of the points relied upon and the designation of the parts of the record which they think necessary for the consideration thereof, as required by paragraph nine (9) of rule thirteen (13) of the rules of the Supreme Court of the United States.

Tagg Bros. & Moorhead et al., by James M. Beck, Francis A. Brogan, Alfred G. Ellick, Anan Raymond, Their Attorneys.

United States of America,
State of Nebraska,
County of Douglas, ss:

Anan Raymond, being first duly sworn, deposes and says that he is one of the counsel for the appellants in the above

[fol. 1030] cause; that on the 8th day of March, 1929, he served upon the appellees herein statement of points to be relied upon and designation of the parts to be printed by delivering personally to James C. Kinsler, United States District Attorney for the District of Nebraska, one of the defendants herein and counsel of record for the defendants, a statement of points to be relied upon and designation of the parts of the record to be printed, of which the above and foregoing is a true and correct copy.

Anan Raymond.

Subscribed in my presence and sworn to before me this 8th day of March, A. D. 1929. E. L. Van Nice, Notary Public. (Notarial Seal E. L. Van Nice, Douglas County, Nebraska. Commission expires Oct. 17, 1934.)

[fol. 1031] [File endorsement omitted.]

Endorsed on cover: File No. 34,047. Nebraska D. C. U. S. Term No. 738. Tagg Bros. & Moorhead, Richard M. Laverty, engaged in business under the name and style of Laverty Bros.; Will H. Wood, et al., etc., et al., appellants, vs. The United States of America, William M. Jardine, as Secretary of Agriculture; John G. Sargent, Attorney General, et al. Filed March 1st, 1929. File No. 34,047.